

# Kentucky Department of Education

## Pupil Attendance Manual

School Year 2023-2024



***EVERY STUDENT – ALL DAY - EVERY DAY***

Jason E. Glass, Ed. D.  
Commissioner of Education and Chief Learner  
Kentucky Department of Education

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**KDE Contact**

Chay Ritter  
Kentucky Department of Education  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-3930

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## ***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/state. 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  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 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 (6 <sup>th</sup> -12 <sup>th</sup> Grade - Attendance must be taken every period)  |

## 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                                      |
| April 30 | NTI Participation  |

| 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  
 Office of Finance and Operations  
 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)

### 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 the 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 prior to enrolling a new student or re-enrolling a student from another district.** They select the record of that student and add an enrollment. Please note you will need the student birth date which is now a required field when using the Student Locator.

If a district finds that one student has multiple SSIDs in their district site, that district must combine those records using the Combine Person tool (System Administration > Data Utilities > Combine Person).

| Name | State ID | Gender | Birth Date | % |
|------|----------|--------|------------|---|
|      |          |        |            |   |

In cases of a student having one or more SSIDs outside of a district or two students are sharing the same SSID and the records need to be split, please submit a ticket through the Google form, [SSID Issues Google Form](#).

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

All other questions regarding SSID issues may be directed to:

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

## Free/Reduced Application Management (FRAM)

The following [Community Eligibility Link](#) is the webpage that contains program information for FRAM Coordinators who manage the Community Eligibility Provision (CEP) program for their school districts. On this webpage, you will find various FRAM training documents, the DC web download tool manual, the sample of the Household Income Form (HIF), the tool rights document for setting up the FRAM processor rights in Infinite Campus and much more.

### [Data Standard - FRAM \(ky.gov\)](#)

HIF processing can now be complete electronically through FRAM Processing in IC if you are full CEP. Non-CEP districts can create an OLR form that mimics the district's current form with an electronic signature. Districts can send this form through the Parent Portal and have the parents sign it electronically.

Questions concerning FRAM may be directed to:

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

**D. 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.</p> <p><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.</p> <p>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><u>do not schedule</u></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><u>No Show start status</u></b> cannot be used to with a graduate 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.

| Code | Definition  |
|------|---|
| 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 Homebound 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.   |

| Code | Definition  |
|------|---|
| 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:

Amy Patterson, M.Ed.  
Systems Consultant/IT  
Office of Special Ed. & Early Learning  
Kentucky Department of Education  
300 Sower Blvd, 4th floor SW  
Frankfort, KY 40601  
502-564-4970, ext. 4513  
[amy.patterson@education.ky.gov](mailto:amy.patterson@education.ky.gov)

For Regular Education withdrawal questions, please contact:

Josh Whitlow  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279, ext. 4450  
[Josh.whitlow@education.ky.gov](mailto:Josh.whitlow@education.ky.gov)

## E. 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 cannot release student records of a student who is listed as a missing person.** Reference KDE's 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.

### Private (Non-Public) Schools

Private (non-public) schools must adhere to Kentucky laws regarding school attendance, minimum instructional hours, the subjects taught, and records kept. Reference KDE's Non-Public Schools [website](#) for additional information.

### 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. The Kentucky Constitution establishes prerogatives for parents to choose the formal education for the child. Therefore, parents may choose to homeschool their child. Reference KDE's Homeschool [website](#) for additional information.

Questions concerning requests for student records from private schools or homeschools may be directed to:

Amanda Reifsnyder  
Division of School and Program Improvement

Office of Continuous Improvement and Support  
Education Administration Program Consultant II  
300 Sower Blvd., 5th Floor Frankfort, KY 40601  
(502) 564-3791, ext. 4066  
[Amanda.Reifsnyder@education.ky.gov](mailto:Amanda.Reifsnyder@education.ky.gov)

## **Foster Students**

[HB 312 \(2020\)](#) creates specific time requirements for enrollment, records request, and release of records for students in foster care. If it has been determined that remaining in the school of origin is not in the child's best interest, the new school shall immediately enroll the child – even if the child is unable to produce records normally required for enrollment (including, but not limited to academic records, medical records, and proof of residency). The new school must immediately contact the school last attended by the child and obtain relevant academic and other records. Records for foster students must be transferred by the end of the working day on which the request is received. If a record is incomplete, the previous school shall provide the completed record within three (3) working days of the original request.

The *Student Records Transfer* report in IC will assist districts and school personnel with monitoring records transfer for students enrolling or withdrawing to and from other Kentucky school districts during the school year. The records produced in the report indicate student's foster care status to further aid in the time requirements outlined in HB 312. Reference the reports [Quick Reference Card](#) for additional details.

Additional information can be found on KDE's Foster Care [website](#).

Questions concerning the foster care student group may be directed to:

Sharma Aitken

Office of Continuous Improvement and Support

Division of School and Program Improvement

300 Sower Blvd., 5th Floor

Frankfort, KY 40601

(502) 564-3791, ext. 4018

[sharma.aitken2@education.ky.gov](mailto:sharma.aitken2@education.ky.gov)

## Missing Children

| Statute                     | Description  |
|-----------------------------|--|
| <a href="#">KRS 156.496</a> | Programs to identify and locate missing children enrolled in Kentucky schools.                               |
| <a href="#">KRS 158.032</a> | Flagging record of missing child – Procedure upon recovery – Documents required upon enrollment of transfer. |

A missing student's educational records will automatically be flagged in Infinite Campus when the Kentucky State Police (KSP) notifies the Kentucky Department of Education (KDE). It is imperative that principals ensure all appropriate school and district personnel are aware of the situation and that they comply with the stipulations of the statutes. District staff must immediately report to local law enforcement or KSP's Missing Persons Unit at (502) 564-1020, if any of the following occurs: someone in the school knows of the student's whereabouts; the identified student is currently present at the school; or an individual or a school requests the student's records.

Student records cannot be released in IC if the student has an active missing child flag.

IC will automatically end-date the missing child flag when KDE receives notification from KSP that a missing student is located.

Schools must ensure that the principal email address is kept current in IC to ensure Missing Children Notifications from KDE are directed to the appropriate personnel. Additionally, a process alert will be sent to all members of the *Missing Child User Group* with calendar rights to the school(s) of the missing student. Schools and districts can reference the [Missing Child Process and Procedures](#) document to prepare and maintain. Reference the [Missing Children Frequently Asked Questions](#) document for additional guidance.

Reference KDE's Missing Children [website](#) for additional information.

Questions concerning missing children records can be directed to:

Windy Spalding

Office of Continuous Improvement and Support

300 Sower Blvd., 5<sup>th</sup> floor

Frankfort, KY 40601

(502) 564-5130, ext. 4063

[Windy.Spalding@education.ky.gov](mailto:Windy.Spalding@education.ky.gov)

## F. 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  
 Office of Finance and Operations  
 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. Suspension and Expulsion Codes

The Safe Schools error/warning report shall be used for data quality assurance of suspension resolution and attendance linkage. The following validations should be reviewed and resolved on a regular basis:

- Suspension Attendance without a corresponding Resolution of SSP3: Out-of-School Suspension.
- Out of School Suspension/Attendance Dates and/or Times Inconsistent

Data entry and reporting requirements can be found in the [Behavior Data Standards](#). The KY State Report – Safe Schools should be generated on a regular basis.

| 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:

- **SSP3** – Out-of-School Suspension
- **SSP1** – Expelled, Receiving Services
- **SSP2** – Expelled, Not Receiving Services

#### 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 up to 10 days of funding as an adjustment on SAAR for a student who has been suspended.

A resolution of SSP3: Out-of-School Suspension in behavior must have a corresponding S: Suspension attendance code. The behavior resolution start and end dates and times must precisely match the attendance start and end dates and times.

#### Attendance – Expulsion

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

- SSP1** – Expelled, Receiving Services
- SSP2** – Expelled, Not Receiving Services

If a student is expelled, not receiving services, the student is marked absent each day following the expulsion. The district is eligible to receive funding up to a year or 175 days for expulsions as an adjustment in record X of SAAR. Student must maintain a full schedule after expulsion to receive funding.

If a student is expelled, receiving services, the student is marked absent for any day services were to be provided but the student was not present to receive the services. The district is eligible to

receive up to a year or 175 days for expulsion. Days during expulsion with services in which student is marked absent will be included as an adjustment in Record X of SAAR. Student must maintain a full schedule after expulsion to receive funding.

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 to receive services. Specific attendance and behavior data entry must be entered in these scenarios.

Reference KDE's [Expulsion Guidance including Carryover Expulsions Infinite Campus](#) document for additional details and instruction.

Reference KDE's Safe Schools Data Collection and Reporting [website](#) for additional information.

Questions concerning suspensions and expulsions may be directed to:

Windy Spalding  
Kentucky Department of Education  
Office of Continuous Improvement and Support  
300 Sower Blvd., 5<sup>th</sup> floor  
(502) 564-5130, ext. 4063  
Email: [windy.spalding@education.ky.gov](mailto:windy.spalding@education.ky.gov)

## H. 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. <b>This includes students identified as 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:

Laura Loman  
 Office of Finance and Operations  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4485  
[Laura.loman@education.ky.gov](mailto:Laura.loman@education.ky.gov)

## I. 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<br/> 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.   |

| Attendance Code                             | Definition   |
|---|--|
| 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</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<br>ILIE - Excused<br>ILID - Dr. Note<br>ILIP - Parent Note<br>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              | Mental Behavioral Health HB44               | Absent  | Excused   |
| O              | Mental Behavioral Health Parent HB44        | Absent  | Excused   |
| 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](#).

Josh Whitlow  
 Office of Finance and Operations  
 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)

## Other Attendance Credit

| Attendance                         | Description   |
|------------------------------------|---|
| 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.   |
| INSR – In-School Removal           | In-School Removal attendance code for students who are removed from class for in school suspension. In-School Removal will be Other/Present/Exempt code and the district will receive funding.  |



## J. Attendance Tracking for Full-Time Virtual Students – A8 Schools

| Regulation    | Description   |
|---------------|---|
| 704 KAR 3:535 | Full-time enrolled, on-line, virtual and remote learning programs |

### Attendance Tracking for Full-Time Virtual Students – A8 Schools

Beginning the 2023-24 school year, districts have a new option for setting up courses and designating programs for full-time enrolled online/virtual students. An attendance-based, or seat-time, model is now available through 704 KAR 3:535 for students in Kindergarten through Fourth. This model can be applied to any grade level K-12 as long as the program adheres to the attendance tracking guidelines. The virtual and performance-based model for awarding credit and tracking attendance in grades 5-12 available through 704 KAR 3:305 is still available as well. Kentucky's public-school districts now have the ability to design online/virtual programs to meet the needs of their students and community K-12.

The [Online/Virtual and Remote Learning Program Toolkit](#) is designed to assist district leaders with considerations and actionable steps to help create high-quality online learning experiences for students. This toolkit is designed as a collaborative exercise for program/district leaders to assist in the design or refinement of their program which will aid in matching the attendance tracking model with the program design. For more information on the toolkit and other resources, see the [Online/Virtual and Remote Learning Program Support page](#).

Districts may now more closely align the design of the program with the new A8 classification for full-time enrolled online, virtual and remote learning programs. The A8 classification provides districts with another avenue to design the program around the local context and needs of the community and students. Districts may still offer online/virtual programming through an A5 alternative education program and the A1 school as an 'academy' model as in years passed. **Important note:** This classification is optional for districts and not directly linked to the attendance tracking models utilized. Use either, or both, attendance tracking models inside the A8 program to meet the design and requirements of the grade levels offered. Some considerations for determining how this classification may apply can be found in the [A8 Program Considerations document](#).

#### Helpful Links:

[Online/Virtual and Remote Learning Program Toolkit](#)

[A8 Program Considerations Document](#)

[704 KAR 3:535 – Seat time attendance structure for full-time enrolled virtual students](#)

[704 KAR 19:002 - Alternative education programs](#)

[Guidance for Alternative Education Programs](#)

[Virtual/Performance-Based Course Setup and Attendance Verification](#)

[Course Data Standard](#)

[Online/Virtual and Remote Learning Program Support page](#)

[Ky Online Learning Experiences Collaborative](#)

Ben Maynard  
Digital Learning Coach  
School Digital Readiness Services  
Office of Education Technology  
Phone| (502) 892.6328  
Email| [ben.maynard@education.ky.gov](mailto:ben.maynard@education.ky.gov)  
300 Sower Blvd. – 4th floor  
Frankfort, KY 40601  
Twitter| @KyDeptofEd  
Twitter| @benmaynard31

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  
Office of Finance and Operations  
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. **For elementary school students, even if an identification system is in use, electronic signature must be obtained in real time and in person. Consult board policy to verify if electronic signatures are allowed in your district.**

\*Full time virtual students will not have check-in/check-out logs to verify attendance in Infinite Campus. Districts will be funded on the attendance data logged into IC by teachers and/or attendance clerks. Attendance Audits will not reconcile check-in/check-out logs for full-time virtual students.

Questions concerning Entry and Exit logs may be directed to:

Sasha Reinhardt, Consultant, Division of District Support, Eastern KY Region: (502)-226-0693

[sasha.reinhardt@education.ky.gov](mailto:sasha.reinhardt@education.ky.gov)

Ruth Britt, Consultant, Division of District Support, Western KY Region: (270)705-9158

[ruth.britt@education.ky.gov](mailto:ruth.britt@education.ky.gov)

Becky Walsh, Consultant, Division of District Support, Central KY Region, (502)382-8270

[becky.walsh@education.ky.gov](mailto:becky.walsh@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**

Lisa Keeter

Office of Education Technology

Division of School Data Services

300 Sower Blvd., 4th Floor

Frankfort, KY 40601

(502) 564-2020, ext. 2462

Fax (502) 564-1519

[lisa.keeter@education.ky.gov](mailto:lisa.keeter@education.ky.gov)

Josh Whitlow

Office of Finance and Operations

Division of District Support

300 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)

## N. Challenge Academy and Job Corps Withdrawal Guidelines

### Challenge Academy

Appalachian Challenge Academy and Bluegrass Challenge Academy are both federally funded and under the authority of military affairs. However, per [HB 244](#), starting with the 2023-24 school year these facilities must be classified as an A5-alternative education program under district number 880, Residential Youth At-Risk Programs. Therefore, the appropriate withdrawal status for a student enrolling in these academies 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.

Staff administering the Residential Youth At-Risk Programs must submit a request for records from the student's home district to ensure that the student is not considered a dropout in the home district.

### Job Corps

Job Corps are federally funded programs and classified as an F2: federally funded job corps. Withdrawal scenarios are outlined below.

A student withdrawing to a 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 appropriate 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.

Questions concerning Challenge Academy and Job Corps may be directed to:

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

Windy Spalding  
Office of Continuous Improvement and Support  
300 Sower Blvd., 5<sup>th</sup> floor  
Frankfort, KY 40601  
(502) 564-5130, ext. 4063  
[Windy.Spalding@education.ky.gov](mailto:Windy.Spalding@education.ky.gov)

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

| Statute and Regulation | Description                                       |
|------------------------|---|
| KRS 159.030            | 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 and week. However, when circumstances warrant, the Admissions and Release Committee (ARC) may determine that the students' needs require them to attend less than the entire school day or school week. Districts must provide documented determination by the ARC that a shortened school day and/or week is needed, an Individual Education Plan (IEP) that specifies the length of the shortened day and/or week, and approval by the local board of education.

The shortened school day and/or week form for students with IEPs is available for download from the Director of Special Education (DoSE) one-stop site.

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:

Brandy Hackney, Ed. S  
 Division of IDEA Monitoring and Results  
 300 Sower Blvd. – 4th floor  
 Frankfort, KY 40601  
 (502) 564-4970 Ext. 4111  
[brandy.hackney@education.ky.gov](mailto:brandy.hackney@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, 4th Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4450  
[Josh.Whitlow@education.ky.gov](mailto:Josh.Whitlow@education.ky.gov)

## P. Homeless Children and Youth

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

### School Selection and Best Interest

Frequent school changes can cause educational disruption and additional stress for a student experiencing homelessness that result in many homeless students performing poorly, falling behind in school, and dropping out.

Local Education Agencies must, to the extent feasible, keep homeless students in their school of origin unless it is against the parent, guardian, or unaccompanied youth'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. All decisions about school placement must be made on a case-by-case basis given the myriad of variables involved.

According to the McKinney-Vento Act, students have the following school selection options:

- The school of origin or
- The school that non-homeless students who live in the attendance area are eligible to attend [42 U.S.C. § 11432(g)(3)(A)].

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

For additional information on school selection and best interest determination, access the National Center for Homeless Education's (NCHE) School Selection and Best Interest [website](#).

### Enrollment

A school must immediately enroll students who are homeless, even if they do not have the 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 the required medical records such as immunizations, the liaison must immediately assist in obtaining them. More information is available on KDE's Education for Homeless Children and Youth [website](#).

Reference KDE's Education for Homeless Children and Youth [website](#) for additional information. Reference the [Homeless Data Standards](#) for data entry and reporting requirements.

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

Zachary Stumbo, Ph.D.  
Homeless Education Consultant  
Division of School and Program Improvement  
Office of Continuous Improvement and Support  
300 Sower Building, 5<sup>th</sup> floor  
Frankfort, KY 40601  
(502) 564-3791, ext. 4020  
[zachary.stumbo@education.ky.gov](mailto:zachary.stumbo@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 [KRS 186.440](#) (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 students participating in homeschool. It is not necessary for students participating in homeschool 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 [Student Reporting Portal](#) at the end of each semester, or the report may be made earlier in the semester. Any absences due to suspension are considered 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 must be entered via the [Student Reporting 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 the [Student Reporting 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 the [New Registration Portal](#). This process will register these individuals in the [Student Reporting Portal](#) and allow direct exchange of information between schools and the Transportation Cabinet. The [KSBA](#) has a model policy for KRS 159.051. Districts may refer to this model policy as they review and approve local board policy to address the statute.

Reference KDE's No Pass/No Drive Law [website](#) for additional information.

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

Michelle Wilson, B.B.A., M.A.Ed.  
 Office of Continuous Improvement and Support  
 Division of Student Success  
 Safe and Supportive Schools Branch  
 Education Administration Program Consultant  
 Phone: (502) 564-4772, ext. 4516  
[Michelle.wilson@education.ky.gov](mailto:Michelle.wilson@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 2021-22 but who did not return to school in 2022-23 prior to October 1, 2022.

### Regular Dropouts

Regular dropouts are students who dropped out in the 2022-23 school year and did not re-enroll prior to October 1, 2023. Students must be reported as dropouts for the 2022-23 school year as of November 1, 2023 in the 2022-23 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 2022-23 school year, a district should review students who were enrolled less than 30 instructional days during the 2022-23 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)

**Retention Data and Reporting**

Student retention data validation is due November 1<sup>st</sup> annually. Retention reporting includes students retained in grades 4-12. The *Retention Report*, including validation report is located in Infinite Campus via KY State Reporting. The report will include students whose first enrollment in the current year (2023-24) is assigned the same state grade as their most recent enrollment in the previous school year (2022-23) in the same district. The student's most recent enrollment in previous school year (2022-23) must have an End Status of R: Retain for inclusion in reporting. A retained student must be enrolled on the last instructional day of the 2022-23 school year to be included in the retention report for the current year. Reference the [Retention Procedure Guidance](#) for additional information.

Retention data reported publicly on the School Report Card.

Questions concerning student retention can be directed to:

Windy Spalding

Office of Continuous Improvement and Support

300 Sower Blvd., 5<sup>th</sup> floor

Frankfort, KY 40601

(502) 564-5130, ext. 4063

[Windy.newton@education.ky.gov](mailto:Windy.newton@education.ky.gov)

**SECTION 2: House Bill 563 (2021)**

| Statute and Regulation | Description  |
|------------------------|--|
| KRS 157.350            | Eligibility of districts for participation in fund to support education excellence in Kentucky |
| KRS 158.120            | Nonresident pupils -- Nonresident pupil policy -- Tuition                                      |
| KRS 156.070            | General powers and duties of state board   |

[HB 563 Guidance\\_.pdf \(ky.gov\)](#)

The statutes, [KRS 157.350](#), [158.120](#), [156.070](#), specify the way local boards of education shall adopt a nonresident pupil policy under which the district shall allow enrollment of nonresident pupils and the funding associated therewith.

Section 4 provides for reporting requirements of the KDE to the Legislative Research Commission and Interim Joint Committee on Education on options for equitable transfer of education funds.

As of July 1, 2022, per KRS 157.350(4)(b), nonresident pupils admitted pursuant to district nonresident pupil policies adopted under KRS 158.120 may be included in average daily attendance (ADA) for SEEK eligibility without a written agreement with the pupils' resident districts.

KRS 158.120 Section 1 provides: "By July 1, 2022, a local board of education shall adopt a nonresident pupil policy to govern the terms under which the district shall allow enrollment of nonresident pupils. Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the district. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the local school district. The nonresident pupil policy and any subsequent changes adopted by a board of education shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption."

Any amendments to the policy are to be submitted to the Kentucky Department of Education (KDE) no later than (30) thirty days after their adoption to the Office of Finance and Operations, Division of District Support Services. Policies should be submitted to the Division of District Support via email to [nonresidentpolicy@education.ky.gov](mailto:nonresidentpolicy@education.ky.gov). Nonresident policies will be kept on file for informational purposes by KDE.

INTERSCHOLASTIC ATHLETICS: KRS 157.070(2) provides that the Kentucky Board of Education may designate an organization or agency to manage interscholastic athletics in the common schools. The KBE has designated the Kentucky High School Athletics Association (KHSAA) for this purpose. KRS 156.070(2)(h) states that any student who transfers enrollment from a district of residence to a nonresident district under KRS 157.350(4)(b) shall be ineligible

to participate in interscholastic athletics for one (1) calendar year from the date of the transfer. For questions surrounding the implementation of this provision, districts should contact the KHSAA.

[HB 563 FAQ MAY 5.pdf \(ky.gov\)](#)

Questions concerning the changes may be directed to:

Ronda Devine  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279, ext. 444  
[Ronda.devine@education.ky.gov](mailto:Ronda.devine@education.ky.gov)



### **SECTION 3: 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). The 202-2024 school year, SAAR submission will be via a new application. Link to the new SAAR Manual will be found at [SAAR Home Page](#).

Verify all of the data compiled for the SAAR report very carefully. 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 Application](#)

Instructions for Submitting the SAAR:

The SAAR File (SAAR999.23) is submitted via the KDE Web site: [SAAR Application](#)

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

Laura Loman  
Office of Finance and Operations  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4485  
[Laura.loman@education.ky.gov](mailto:Laura.loman@education.ky.gov)

**B. SEEK Adjustments**

*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.

*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: Non-Traditional Instruction** in the Days tab as they occur. The district must keep documentation in the central office showing that attendance on the specified dates was part of their approved state application.

*d. Full Day Funding – Kindergarten (Adjustment on SEEK)*

Full day funding is now provided for the 2023-24 school year payments. KDE does not yet know if full day kindergarten will be funded in the future.

*e. 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 (IEP) instructional day shorter than the regularly scheduled school day has a *Partial day*. Note: To receive full funding, click the waiver box from the enrollment tab. 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. [KSIS Data Standard Partial Day](#)

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.

*f. [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                              |

*g. [Suspensions \(Adjustment\)](#)*

Per 702 KAR 7:125, suspensions are coded on the Record of Daily Attendance with an S: Suspended 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.

*h. [Expulsions \(Adjustment\)](#)*

Expelled students must be properly documented for the district to receive funding. The funding will be based on the start and end date of the expulsion in the student’s behavior record. The local school district may receive funding for up to one year or 175 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.

i. Overage and Underage Students (Adjustment on SEEK)

| Statutes,             | Description  |
|-----------------------|--|
| 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 -<br>- <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. |

*j. [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. Please see the link provided. [Early Entrance into Kindergarten - Kentucky Department of Education](#)

Underage students who meet criteria should be treated the same way as students who meet the age requirement for kindergarten. [KSIS Data Standard Enrollment](#)

Questions concerning underage primary students may be directed to:

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

*k. 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](#).

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)

*l. 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 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: [School Meal Programs - Kentucky Department of Education](#)

Questions concerning the changes may be directed to:

Ronda Devine  
Office of Finance and Operations  
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)

*m. 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  |
| KRS 157.350(4)(a)       | Non-Resident Agreement Timeline   |

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 children of school district employees (CDE) that are out of state, attending school where their parent or guardian works are **not** counted for SAAR as resident students.

*n. Amendments to Nonresident Pupil Policy*

A change may be made to the original non-resident pupil policy on a yearly basis.

*o. Timelines for Nonresident Policies*



Pursuant to [KRS 158.120](#):

As of July 1, 2022, a board of education shall adopt a nonresident pupil policy to govern the terms under which the district shall allow enrollment of nonresident pupils. Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the district. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the local school district. The nonresident pupil policy and any subsequent changes adopted by a board of education shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption.

See also [KRS 157.350\(4\)](#)

Questions concerning the changes may be directed to:

Laura Loman  
Office of Finance and Operations  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4485  
[Laura.loman@education.ky.gov](mailto:Laura.loman@education.ky.gov)

*p. 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 as a CDE student and flagged:

“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:

Laura Loman  
 Office of Finance and Operations  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4485  
[Laura.loman@education.ky.gov](mailto:Laura.loman@education.ky.gov)

q. [Home and Hospital Program \(Adjustment on SEEK\)](#)

| Statute and Regulation | Description   |
|------------------------|---|
| KRS 158.033            | Instruction in student'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   |
| 702 KAR 7:150          | 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 [702 KAR 7:150](#). A child found to be incapable of attending school, as described above, shall be provided home/hospital instruction.

In accordance with [KRS 158.033\(1\)](#) If in any district there are students not able even with the help of transportation to be assembled in a school, instruction shall be provided to the student in the student's home or in a hospital.

Under 702 KAR 7:150, eligibility for home/hospital is 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, and may include 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.

Any questions concerning home/hospital services for IEP students should be directed to:

Stacy Liguori, M.S.Ed.  
 Academic Program Consultant  
 Division of IDEA Implementation  
 Office of Special Education and Early Learning  
 Phone: (502) 564-4970 Ext. 4525  
 Email: [stacy.liguori@education.ky.gov](mailto:stacy.liguori@education.ky.gov)  
 300 Sower Blvd. – 4th floor  
 Frankfort, KY 40601

***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.

[KRS 158.033\(3\)](#) For the purposes of KRS 157.360, a student instructed under this section who receives a minimum of two (2) instructional sessions a week with a minimum of one (1) hour of instruction per session by a certified teacher provided by the board of education shall equal the student attending five (5) days in school.

[702 KAR 7:150](#) Section 1(4), home or hospital instruction shall be used only for a student for whom there is an expectation of an inability to attend regular school for more than five (5) consecutive school days.

Exemptions for compulsory attendance [KRS 159.030\(2\)\(a\)](#) indicates that the 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. Requires signed statement from healthcare provider pursuant to [KRS 159.030](#).

If the condition is mental health related then the signed statement must be completed by a licensed physician, psychiatrist, psychologist, or a physician's assistant with the mental health credentials described in [KRS 202A.011](#) or an advanced practice registered nurse certified in psychiatric-mental health nursing.

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 (2) 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 required form may be downloaded from the KDE website: [Home Hospital Program Form](#)

Updated home and hospital form and application can be found [here](#).

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  
Office of Finance and Operations  
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.

There were no Growth Factor SEEK adjustments for the 2022-23 school year to establish a baseline. Districts will submit Growth Factor for the 2023-24 school year. Growth Factor is measured from year-to-year, and growth will be calculated for the 2023-24 school year. Please note, the report will reflect full kindergarten from the previous year to the current. Growth Factor will be submitted through the new SAAR Application. The link can be found at [SAAR Application](#).

### [Growth Factor Home Page](#)

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, if funding is available. Districts should review their monthly SAAR data for trends.

For more information about January Growth Factor, please use the following link, [Growth Factor Home Page](#)

### **C. 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 [KRS158.060](#), 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.

January Growth Factor will be dependent on the availability of funding.

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:

[Growth Factor Home Page](#)

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. January Growth Factor submission can be found here: [SAAR Application](#)

Questions regarding Growth Factor may be directed to:

Laura Loman  
Office of Finance and Operations  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4485  
[Laura.loman@education.ky.gov](mailto:Laura.loman@education.ky.gov)



**SECTION 4: 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  |
| KRS 161.500              | Variable 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

### *Traditional*

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 -Traditional*

"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.

### *Variable School Calendar*

"Variable student instructional year" means at least 1,062 hours of instructional time delivered on the number of student attendance days adopted by a local board of education which shall be considered proportionally equivalent to 170 student attendance days. Variable School Calendar must start on or after the third Monday in August closest to the 28<sup>th</sup> of August. Calendar days for the purposes of a student instructional year, employment contracts that are based on the

school term, service credit under [KRS 161.500](#) and funding under [KRS 157.350](#).

“Instructional time” means classroom time. So a district could exceed 7 hours in the school day as long as instruction is limited to 7 hours. Also, “proportionally equivalent” applies to SEEK funding. For example, if a district achieves 1,062 hours of instructional time in 154 days, this is equivalent to 170 student attendance days and calendar days for SEEK funding. Districts are not penalized for completing 1,062 hours of instructional time in less than 170 days.

## Non-Traditional Instructional (NTI) Days

### *NTI Calendar Days*

These days may be taken by school districts who are approved by the Commissioner of Education to participate in the NTI Program. Each NTI Day that is used must be marked as a Day Event, “**N: Non-Traditional Instruction**” in the “**Days**” tab. Approved districts are granted an equivalent of ten (10) student attendance days in which the entire district is closed for health or safety reasons.

### *NTI Participation*

NTI day, reason, student, and teacher participation rates must be documented within IC via System Administration | Resources | District | NTI Data Collection tab.

When SAAR is submitted, the submission program will automatically process these days. ADA will still be added in as aggregate days present with the Transportation Code N for each day claimed on the SAAR. Reference the [Non-Traditional Instruction Data Standard](#) for data entry and reporting requirements.

Additional information can be found on KDE’s Non-Traditional Instruction [website](#).

Questions concerning NTI data collection and reporting can be directed to:

Windy Spalding

Office of Continuous Improvement and Support

300 Sower Blvd., 5<sup>th</sup> floor

Frankfort, KY 40601

(502) 564-5130, ext. 4063

[Windy.newton@education.ky.gov](mailto:Windy.newton@education.ky.gov)

## 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. Anything beyond five (5) minutes of passing time must be marked as non-instructional. For example, if seven (7) minutes of passing time is in the master schedule, then two (2) minutes would be marked as non-instructional.

### 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.

### Variable School Instructional Year - VSIY

If a school district elects to utilize a VSIY, school district employees with contracts based on

the school term will receive credit for 170 days toward the total number of days required by their contracts when the school district completes 1,062 hours of instructional time. Employees with contracts based on the school term will be required to complete any additional contract days above the 170 days achieved using the VSIY. For example, if a teacher is contracted to work 185 days, 170 of the 185 days will be satisfied for contract purposes when the district completes 1,062 hours of instructional time, regardless of the actual days of instruction. However, the teacher must complete the remaining 15 contract days on a day-for-day basis as required by school district policies.

#### 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:

Sasha Reinhardt, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)226-0693  
[sasha.reinhardt@education.ky.gov](mailto:sasha.reinhardt@education.ky.gov)

Ruth Britt, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (270)705-9158  
[ruth.britt@education.ky.gov](mailto:ruth.britt@education.ky.gov)

Becky Walsh, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)382-8270  
[becky.walsh@education.ky.gov](mailto:becky.walsh@education.ky.gov)

Josh Whitlow  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279 Ext. 4450  
[josh.whitlow@education.ky.gov](mailto:josh.whitlow@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 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<br>Closing (C) Day | Indicate opening and closing dates (activity planning) with "O" and "C" respectively. 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:<br>Professional Development KRS 158.070 Section 4 (a) 4<br>Opening/Closing KRS 158.070 Section 4 (d) 2<br>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](#)

Josh Whitlow  
 Office of Finance and Operations  
 Division of District Support  
 300 Sower Blvd., 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502)564-5279 Ext. 4450  
[josh.whitlow@education.ky.gov](mailto:josh.whitlow@education.ky.gov)

### 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.

| Type                                   | Description  |
|--|--|
| 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 reflect 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)           | 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 (CAL999.22)\* 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 21 = is the calendar year**  
Questions concerning school calendars may be directed to:

Sasha Reinhardt, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)226-0693  
[sasha.reinhardt@education.ky.gov](mailto:sasha.reinhardt@education.ky.gov)

Ruth Britt, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (270)705-9158  
[ruth.britt@education.ky.gov](mailto:ruth.britt@education.ky.gov)

Becky Walsh, Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)382-8270  
[becky.walsh@education.ky.gov](mailto:becky.walsh@education.ky.gov)

Josh Whitlow  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279 Ext. 4450  
[josh.whitlow@education.ky.gov](mailto:josh.whitlow@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 block schedule is shown below:

**HIGH SCHOOL – BLOCK SCHEDULING OPTION**

| <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<br>Lunch Begins | Block II Classes End                     | Block II Classes End                     |
| 11:30       |                                      | Block III Classes                        | Block III Classes Begin                  |
| 11:55       | Lunch Ends                           |  |  |
| 12:00       | Block III Classes Begin              |  |  |
| 12:10       |                                      | Block III Classes<br>End<br>Lunch Begins |  |
| 12:40       |                                      | Lunch Ends                               |  |
| 12:45       |                                      | Block III Classes<br>Resume              |  |
| 1:00        |                                      |  | Block III Classes<br>End<br>Lunch Begins |
| 1:30        | Block III Classes End                | Block III Classes End                    | Lunch Ends                               |
| 1:35        | Block IV Classes                     | Block IV Classes                         | Block IV Classes Begin                   |

| <b>TIME</b> | <b>GROUP I</b>                             | <b>GROUP II</b>                            | <b>GROUP III</b>                          |
|-------------|--|--|---|
| 3:00        | Block IV Classes End<br>Students Dismissed | Block IV Classes End<br>Students Dismissed | Block IV Classes End<br>Student Dismissed |

Questions concerning bell schedules may be directed to:

Josh Whitlow  
Office of Finance and Operations  
Division of District Support  
300 Sower Blvd., 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279 Ext. 4450  
[josh.whitlow@education.ky.gov](mailto:josh.whitlow@education.ky.gov)

## 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 – (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 via email or by mailing a hard-copy.** 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 via email or by mailing a hard-copy.** 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) facility in which ALL students enrolled are KECSAC students (strictly A6 facility) can choose to have a separate school calendar that includes the extended days (210-day calendar).

Facilities in which there are district placed and KECSAC students enrolled (blended A6 facility) can choose to add the extended days as a summer calendar. The regular year calendar should have the same end date as the other schools in the district.

Reference the [KECSAC Data Standards](#) for data entry and reporting requirements.

**KDE Contact**

Windy Spalding  
Office of Continuous Improvement and Support  
300 Sower Blvd., 5<sup>th</sup> floor  
Frankfort, KY 40601  
(502) 564-5130, ext. 4063  
[windy.spalding@education.ky.gov](mailto:windy.spalding@education.ky.gov)

**KECSAC Contact**

Sherri Clusky  
Kentucky Educational Collaborative for State Agency Children (KECSAC)  
260 Democrat Drive  
Frankfort, KY 40601  
Phone: (502) 783-1445  
[sherri.clusky@kecsac.org](mailto:sherri.clusky@kecsac.org)

**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 5: 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](#), [KRS 159.130](#), and [KRS 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. For more information from KDE, Guidance for Alternative Education Programs, [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 6: 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.

Attendance reviews are conducted in districts on a five-year rotating schedule. Please contact your regional consultant if you have questions regarding the timing of your attendance review.

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. You can review the regional map, [Regional Map](#)

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:

Sasha Reinhardt, Eastern Region Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)-226-0693  
[sasha.reinhardt@education.ky.gov](mailto:sasha.reinhardt@education.ky.gov)

Ruth Britt, Western Region Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (270)705-9158  
[ruth.britt@education.ky.gov](mailto:ruth.britt@education.ky.gov)

Becky Walsh, Central Region Consultant  
Office of Finance and Operations  
Division of District Support  
Mobile: (502)382-8270

[becky.walsh@education.ky.gov](mailto:becky.walsh@education.ky.gov)

## **SECTION 7: CHARTER SCHOOLS**

### **A. Charter School statutes and regulations**

| <b>Statutes and Regulations</b> | <b>Description</b>  |
|---------------------------------|---|
| KRS 160.1592                    | Public charter schools part of state's public education system. Exemption from laws and regulations -- School requirements -- Enrollment option information for parents -- Board of directors -- Buildings and grounds, liability insurance, and other undertakings -- Requirement to be nonsectarian and nondiscriminatory -- Authorized grade levels -- Programs and services for students with disabilities -- Participation in athletic, academic, and other programs -- Single-sex public charter schools permitted -- Amendments to charter contract -- Acceptance of credits earned and grades received in public charter school -- Leave of absence to teach in public charter school |
| KRS 160.1591                    | Legislative findings and declarations -- Public charter school project  |
| KRS 160.1593                    | Application to establish public charter school -- Submission to authorizer and state board -- Required application information  |
| KRS 160.1590                    | Definitions for KRS 160.1590 to 160.1599  |
| KRS 160.1596                    | Board of directors of public charter schools -- Required elements of charter contract with authorizer -- Calculation of daily average attendance -- Proportional transfer of funds -- Services -- Negotiation by collaborative -- Calculations for first year -- Authorizer fee -- Schedule for funds transfer -- Grants -- Share of state and federal funds -- Distribution of closed school's assets -- Administrative regulations -- Annual report by authorizer   |

### **Health, Safety, Civil Rights and Disability Rights**

KRS 160.1592(1) A public charter school shall be part of the state's system of public education but shall be exempt from all statutes and administrative regulations applicable to the state board, a local school district, or a school, except the public charter school shall adhere to the same health, safety, civil rights, and disability rights requirements as are applied to all public schools and to all requirements otherwise identified in KRS 160.1590 to 160.1599 and 161.141.

KRS 160.1592(14). A public charter school shall be nonsectarian in its programs, admissions policies, employment practices, partnerships, and all other operations and shall not have

entrance requirements or charge tuition or fees, except that a public charter school may require the payment of fees on the same basis and to the same extent as other public schools.

KRS 160.1592(15). A public charter school shall not discriminate against any student, employee, or any other person on the basis of ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability, or any other ground that would be unlawful if done by a public school.

## Enrollment/Attendance

KRS 160.1591(6) Consistent with the requirements of KRS 160.1590 to 160.1599 and 161.141, the state board shall promulgate administrative regulations to guide student application, lottery, and enrollment in public charter schools.

KRS 160.1592(3)(c): A public charter school shall: Ensure students meet compulsory attendance requirements under KRS 158.030 and 158.100 and record student enrollment and attendance in a manner necessary for participation in the fund to Support Education Excellence in Kentucky;

KRS 160.1593(f)(2). An application shall demonstrate a plan to recruit at least one hundred (100) students, unless the application is focused on serving special needs or at-risk students or students seeking career readiness education; and

KRS 160.1593(f)(3). If the application is for a public charter school located in a district with total student enrollment of seven thousand five hundred (7,500) or less, then the application shall include a memorandum of understanding with the district of location endorsing the application. However, if the application is for an urban academy located within a county where the total enrollment of all independent school districts is greater than seven thousand five hundred (7,500), then this subparagraph shall not apply;

KRS 160.1591(a). Enrollment preference for a conversion public charter school shall be given to students who attended the school the previous school year. If the number of students enrolled does not exceed the capacity of the school, secondary preference shall be given to students who reside within the district boundary in which the public charter school is located

(b) Enrollment preference for public charter schools shall be given to students enrolled in the public charter school the previous year and to siblings of students already enrolled in the school. The enrollment preference for returning students shall exclude those students from entering into a lottery, as identified in paragraph (f) of this subsection.

(c) Enrollment preference for public charter schools identified as an urban academy in the charter contract shall be given to students who live in close proximity to the school, as governed by the charter contract.

(d) Enrollment preference may be given to the children of the public charter school's board of directors and full-time employees of the public charter school provided they constitute no more than ten percent (10%) of the total student population.

(e) A public charter school may allow an enrollment preference for students who meet federal eligibility requirements for free or reduced-price meals and students who attend persistently

low-achieving non-charter public schools.

### Nonresident Student Policy

KRS 160.1593(3)(a). The charter application shall include: A mission statement and a vision statement for the public charter school, including the targeted student population and the community the school hopes to serve, and shall outline how the public charter school will establish resident and nonresident enrollment policies which shall be subject to the same limitations as a school district.

### Tuition/Fees

KRS 160.1592(14). A public charter school shall be nonsectarian in its programs, admissions policies, employment practices, partnerships, and all other operations and shall not have entrance requirements or charge tuition or fees, except that a public charter school may require the payment of fees on the same basis and to the same extent as other public schools.

### Transfer of Credits

KRS 160.1592(22). If a student who was previously enrolled in a public charter school enrolls in another public school located within the state, the new school shall accept any credits earned and grades received by the student in courses or instructional programs while enrolled in the public charter school in a uniform and consistent manner and according to the same criteria that are used to accept credits from other public schools.

### Instructional Time

A public charter school shall:

Provide instructional time that is at least equivalent to the student instructional year specified in KRS 158.070. (KRS 160.1592(3)(m))

KRS 160.1592(16). A public charter school shall serve one (1) or more of grades kindergarten through twelve (12) and shall limit admission to students within the grade levels served.

### Virtual Instruction

KRS 160.1591(4). A public charter school shall not be a virtual public charter school.

KRS 160.1590(20). "Virtual public charter school" means a public charter school that offers educational services primarily or completely through an online program.

### Calendar

KRS 160.1593(3)(n). The charter school application shall include the school calendar and

school day schedule, which shall total at least the equivalent to the student instructional year specified in KRS 158.070.

### Financial Data

KRS 160.1592: A public charter school shall:

Adhere to all generally accepted accounting principles and adhere to the same financial audits, audit procedures, and audit requirements as are applied to other public schools under KRS 156.265. (KRS 160.1592(3)(h))

KRS 160.1592(3)(i). Utilize the same system for reporting student information data and financial data as is utilized by other school districts across the state.

KRS 160.1593(3)(f)(3). The charter application shall include a proposed five (5) year budget, including the start-up year and projections for four (4) additional years with clearly stated assumptions.

KRS 160.1593(3)(g) The information provided in the application shall be consistent with this section and shall include: Draft fiscal and internal control policies for the public charter school.

### Procurement

KRS 160.1592(3)(l). A public charter school shall comply with purchasing requirements and limitations under KRS Chapter 45A and KRS 156.074 and 156.480, or provide to the public charter school board of directors a detailed monthly report of school purchases over ten thousand dollars (\$10,000), including but not limited to curriculum, furniture, and technology.

KRS 160.1592(12)(a). A public charter school may negotiate and contract with its authorizer or any third party for the use, operation, and maintenance of a building and grounds, liability insurance, and the provision of any service, activity, or undertaking that the public charter school is required to perform in order to carry out the educational program described in its charter. Any services for which a public charter school contracts with a school district shall be provided by the district at cost and shall be negotiated as a separate agreement after final charter contract negotiations. The public charter school shall have standing to sue and be sued in its own name for the enforcement of any contract under color of authority granted by KRS 160.1590 to 160.1599. A public charter school may own, rent, or lease its space.

### School Report Card

A public charter school shall:

Provide data to the Kentucky Department of Education and the authorizer as required by the Kentucky Department of Education or authorizer to generate a school report card under KRS 158.6453. (KRS 160.1592(3)(n))

## Funding

(12) "Proportionate per pupil basis" means multiplying an amount of funds by a fraction, with the numerator being the average daily attendance of the public charter school, and the denominator being the average daily attendance of the school district of location;

(13) "Proportionate per pupil transported basis" means multiplying an amount of funds by a fraction, with the numerator being the aggregate daily attendance of students transported by a public charter school, and the denominator being the aggregate daily attendance of students transported by the school district of location;

## Charter School Start-up Funding

KRS 160.1596(9)(a). For the first school year of operation a public charter school, beginning with the start of instruction:

1. The public charter school's average daily attendance shall be calculated based on a projection of the public charter school's enrollment and the district's overall average daily attendance;
2. The public charter school's aggregate daily attendance of students transported shall be calculated based on a projection of the public charter school's enrollment and transportation plan and the district's overall aggregate daily attendance of students transported; and
3. The amounts attributable to each individual student's attendance at the public charter school shall be calculated based on a projection of the public charter school's enrollment and demographics and the district's overall enrollment and demographics.

KRS 160.1596(9)(b). The calculations shall be adjusted in January of the first school year of operation to reflect the first semester's actual data. Subsequent years of operation shall be calculated using actual data from the prior school year.

KRS 160.1596(10)(a). Funds identified for transfer under this section shall be transferred by a district of location to each of the public charter schools located within the district. However, up to three percent (3%) of the funds identified under this section for transfer to a public charter school may be retained by an authorizer as an authorizer fee.

(b) If the authorizer of a public charter school does not include the local board of education of the district of location, then the district of location shall transfer the authorizer fee to the public charter school's authorizer.

(c) If the Kentucky Board of Education requires the authorization of a public charter school on appeal from an authorizer, the board shall receive twenty five percent (25%) of the authorizing fee for the duration of joint oversight required by KRS 160.1595.

## Subsequent Years: State and Local Funding

KRS 160.1596(3). For the purposes of local and state funding, a public charter school shall serve as a school of the district of location.

KRS 160.1596(5). All students enrolled in a public charter school shall be included in the

average daily attendance calculation under KRS 157.360 and the aggregate and average daily attendance of transported pupils calculation under KRS 157.370 of the district of location in the same manner as any other public schools in the district and shall be reported by the public charter schools to the school district and state Department of Education for purposes of calculating the state and local share of funding for each public charter school.

KRS 160.1596(6). Notwithstanding the formula for allocating district funds under KRS 160.345(8) and any other statute governing a district's funding of schools, unless an authorizing district agrees to provide a larger sum of funding in the charter contract, after local capital outlay funds that are restricted in use pursuant to KRS 157.420(4) and funds under KRS 157.440(1)(b) and 157.621 necessary to meet debt service obligations on bonds or other financing mechanisms for new construction and renovation projects for school facilities are excluded, and before any other funds are budgeted for district use, a district shall transfer to each of the public charter schools located within the district:

(a) The amount that is proportional to the public charter school's enrollment or average daily attendance in comparison with the overall district qualifying numbers for:

1. Funds that are related to students' attendance and enrollment and allocated to the district of location pursuant to KRS 157.360;
2. Any add-on or funding factors provided for in the state budget;
3. Any add-on or funding factors provided for by the Kentucky Department of Education; and
4. Funds pursuant to KRS 157.360(2)(a) and (b) and (13)(a).

For each funding source identified in this paragraph, the transfer amount shall be based on the public charter school's qualifying student enrollment or average daily attendance, depending on the method used in the funding source's calculation;

(b) On a proportionate per pupil basis:

1. Education funds allocated to the school district pursuant to KRS 157.440(1)(a) and (2)(a), or pursuant to any applicable federal statute; and
2. All taxes and payments in lieu of taxes transferred to the district of location or levied and collected by the district of location.

## Transportation

KRS 160.1596(6)(c): The district of location shall transfer on a proportionate per pupil transported basis, transportation funds calculated pursuant to KRS 157.360(2)(c) and 157.370 and distributed to the district of location, unless the school district provides transportation to students attending the public charter school under written terms agreed upon by the district and the public charter school in either the charter contract or, if the district is not the public charter school's authorizer, a separate agreement.

KRS 160.1596(7)(a). If transportation funds are transferred under this section to a public charter school, then the public charter school receiving those funds shall provide transportation services to the enrolled students residing within the district of location.

KRS 160.1596(7)(c). If transportation services are not provided by the public charter school and no written agreement to provide transportation services with the district of location exists, then no transportation funds shall be transferred and the district of location shall not be responsible for providing transportation to the public charter school's students.

## Services

KRS 160.1596(7)(b). If funds designated for providing additional services to specific students are transferred under this section, then the public charter school receiving those funds shall provide those services in the same manner as the district of location.

## Federal Funding

KRS 160.1596(4). For the purposes of federal funding, a public charter school shall serve as a local education agency.

KRS 160.1596(14). The commissioner of education shall apply for all federal funding that supports charter school initiatives for which a state must be the applicant and shall cooperate with any public charter school in its efforts to seek federal funding.

## Grants

KRS 160.1596(12). A public charter school shall be eligible for federal and state competitive grants and shall not be excluded from an opportunity to apply or participate so long as the public charter school meets the criteria established for the respective grants. Each public charter school that receives grant aid shall comply with all requirements to receive such aid.

## Not Otherwise Identified State Funds

KRS 160.1596(13). A public charter school shall receive a proportionate per pupil share of any state moneys not otherwise identified in this section that is received by the school district of location. The public charter school shall also receive, according to federal law, moneys generated under federal categorical aid programs for students that are eligible for the aid and attending the public charter school. Each public charter school that receives such aid shall comply with all requirements to receive such aid.

## Collaborative Funding

KRS 160.1596(8). Notwithstanding the identification of funds to be transferred in this section, a collaborative among local school boards authorizing a public charter school may negotiate among the local boards and a charter applicant to identify the amount of funds to be transferred to the public charter school. The agreement shall be detailed in the charter contract.

## Food Service

KRS 160.1593(3)(p). The charter school application shall include a description of the health and food services to be provided to students attending the school.

KRS 160.1592(3)(r). A public charter school shall establish a food program for students that, at a minimum, provides free and reduced-price meals to students identified as qualifying for such meals under federal guidelines for the National School Lunch Program.



## Open Records

KRS 160.1592(3)(k) A public charter school shall comply with open records and open meeting requirements under KRS Chapter 61.

KRS 160.1592(12)(b). Any entity contracted to provide educational services or goods to a public charter school in an amount exceeding ten thousand dollars (\$10,000) shall be subject to the Open Records Act under KRS Chapter 61 for all records associated with the public charter school contract.

## Facilities

KRS 160.1592(3)(p)(7). As a public body corporate, have all the powers necessary for carrying out the terms of its charter contract, including the power to acquire real property for use as its facility or facilities, from public or private sources.

KRS 160.1592(13). A public charter school shall be exempt from administrative regulations governing public schools for purposes of zoning and local land use regulation. The Finance and Administration Cabinet shall annually publish a list of vacant and unused buildings and vacant and unused portions of buildings that are owned by the state and that may be suitable for the operation of a public charter school and shall provide the list to applicants for public charter schools and to existing public charter schools upon request. (KRS 160.1592(13)).

KRS 160.1592(12)(a). A public charter school may negotiate and contract with its authorizer or any third party for the use, operation, and maintenance of a building and grounds, liability insurance, and the provision of any service, activity, or undertaking that the public charter school is required to perform in order to carry out the educational program described in its charter. Any services for which a public charter school contracts with a school district shall be provided by the district at cost and shall be negotiated as a separate agreement after final charter contract negotiations. The public charter school shall have standing to sue and be sued in its own name for the enforcement of any contract under color of authority granted by KRS 160.1590 to 160.1599. A public charter school may own, rent, or lease its space.

KRS 160.1593(3)(1). The charter application shall include A description of the facilities to be used by the public charter school, including the location of the school, if known, and how the facility supports the implementation of the school's academic program. If the facilities to be used by the proposed school are not known at the time the application is submitted, the applicant shall notify the authorizer within ten (10) business days of acquiring facilities for the school. The school shall obtain certification of occupancy for the facilities at least thirty (30) days prior to the first student instructional day;

## Insurance

KRS 160.1592(3)(p)(2). As a public body corporate, have all the powers necessary for carrying out the terms of its charter contract, including the power to: Secure appropriate insurance and enter into contracts and leases.

KRS 160.1593(3)(o). The charter school application shall include the types and amounts of insurance coverage to be obtained by the public charter school, which shall include adequate insurance for liability, property loss, and the personal injury of students comparable to other schools within the local school district operated by the local school board.

### Extracurricular Activities

KRS 160.1593(w). The charter application shall include a description of cocurricular and extracurricular programs and how they will be funded and delivered.

KRS 160.1592(18)(a). A public charter school shall be eligible to participate in state-sponsored or district-sponsored interscholastic athletics, academic programs, competitions, awards, scholarships, and recognition programs for students, educators, administrators, and schools to the same extent as noncharter public schools. Participants shall comply with eligibility requirements of students enrolled in noncharter public schools.

(b) A public charter school has no obligation to provide extracurricular activities or access to facilities for students enrolled in the public charter school.

(c) If a public charter school sponsors interscholastic athletic activities, students enrolled in the public charter school shall be considered eligible to participate in interscholastic competitions by the Kentucky Board of Education or the agency designated by the state board to manage interscholastic athletics, if other eligibility requirements are met. A student enrolled in a public charter school that sponsors an interscholastic athletic activity shall be ineligible to participate in that activity at any other school.

(d) If a public charter school does not offer any interscholastic athletic activity sanctioned by the Kentucky Board of Education or the agency designated by the state board to manage interscholastic athletics, a student enrolled in the public charter school shall be eligible to participate at the school the student would attend based on the student's residence.

(e) If a public charter school offers any interscholastic athletic activity sanctioned by the Kentucky Board of Education or the agency designated by the state board to manage interscholastic athletics, a student enrolled in the public charter school shall be ineligible to participate in any interscholastic athletic activity at any other school.

### Employees

KRS 160.1593(r)-(t). The charter school application shall include (r) a code of ethics for the school setting forth the standards of conduct expected of its board of directors, officers, and employees; (s) plans for recruiting and developing staff; and (t) a staffing chart for the school's first year and a staffing chart for the term of the charter;

KRS 160.1592(3)(j). A public charter school shall: Require criminal background checks for staff and volunteers, including members of its governing board, as required of all public school employees and volunteers within the public schools specified in KRS 160.380 and 161.148.

KRS 160.1592(3)(p)(8). A public charter school shall: As a public body corporate, have all the powers necessary for carrying out the terms of its charter contract, including the power to: Employ or contract with other entities for the provision of teaching, professional, and support

staff, as needed.

KRS 160.1592(15). A public charter school shall not discriminate against any student, employee, or any other person on the basis of ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability, or any other ground that would be unlawful if done by a public school.

KRS 160.1592(22). A teacher employed by a local board of education under a continuing service contract and offered employment with a public charter school shall be granted a two (2) year leave of absence to teach in a public charter school. The leave of absence shall commence on the first day of service to the public charter school. During the first or second year of the leave of absence, the teacher may notify the local board of education that the teacher intends to return to a teaching position in the local school district. The teacher shall be allowed to return to a teaching position in the local school district at the appropriate salary for the teacher's years of experience and educational level. After two (2) years on leave, the relationship between the teacher and the local board of education shall be determined by the local board and the local board shall notify the teacher of the decision.

**SECTION 8: HELPFUL LINKS****Checklists**

- [Beginning of Year Checklist](#)
- [End of Year Checklist](#)

**KSIS Data Standards**

- [Attendance](#)
- [Behavior](#)
- [Census](#)
- [Census, Staff Information](#)
- Course Codes (Incorporated into Course data standard)
- [Course](#)
- [Dual Credit Course](#)
- [Early Graduation](#)
- [Early Learning Prior Settings](#)
- [English Learners](#)
- [Enrollment](#)
- Extended School Services (See Intervention Data Standard)
- [Foster Care](#)
- [Free/Reduced Application Management \(FRAM\)](#)
- [FRYSC](#)
- [Graduation](#)
- [Health](#)
- [Homeless Children and Youth](#)
- [Immigrant](#)
- [Non-Traditional Instruction](#)
- [Preschool](#)
- [Student Records Transfer](#)
- [Transportation](#)

**Other Procedural Documentation**

- [EOY Graduate Code](#)
- [Health Data Entry for End-of-Year](#)
- [Import Kentucky Academic Standards into Infinite Campus](#)
- [Infinite Campus for Craft and Gatton Residential Academies - Course Setup, Grading and Attendance](#)
- [Partial-Week Full-Funding Attendance Tracking](#)
- [User Guide: No Shows](#)
- [Virtual and Performance-Based Course Set-Up and Attendance Verification](#)

**SECTION 9: RECORDS RETENTION SCHEDULE****Current Public School District Records Retention Schedule, State Archives & Records Division**

Click on the link for the full Kentucky Public-School, Records Retention [SR Print Schedule \(kv.gov\)](#)

Click on the link for the full Kentucky Department of Education, Records Retention Schedule - [KYEducation.PDF](#)

| Record # | Record  | Where To Find It  | Retention Requirement<br>(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                       | KDE forms   | Retain permanently  |

| <b>Record #</b> | <b>Record</b>  | <b>Where To Find It</b>   | <b>Retention Requirement</b><br>(May retain in PDF unless there is a signature required on the document) |
|-----------------|--|---|--|
|                 | (Attendance)   |   |  |
| 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  | Retain 1 year, then destroy  |

| Record # | Record  | Where To Find It  | Retention Requirement<br>(May retain in PDF unless there is a signature required on the document)   |
|----------|---|---|---|
|          |   | each school year. Medication in the original container must be sent to the school with complete instructions.   |   |
| 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<br>*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 | Retain 5 years, then destroy  |

| <b>Record #</b> | <b>Record</b> | <b>Where To Find It</b>                                       | <b>Retention Requirement</b><br>(May retain in PDF unless there is a signature required on the document) |
|-----------------|---------------|---|--|
|                 |               | school. Requires an annual application to the superintendent. |  |



**SECTION 10: STATUTES & REGULATIONS IMPACTING ATTENDANCE & CALENDAR**

| Stature/Regulation Number                              | Title/Subject  | Brief Description  | Effective Date | KDE Contact   |
|--|--|--|----------------|---|
| <a href="#">KRS 156.160</a>                            | Certification of Home Schools (Section 3)  | Voluntary compliance with state standards can result in certification by the KBE.                                    | 7-12-2012      | Jeanna Gonzales<br>502-564-3791,<br>ext. 4024   |
| <a href="#">KRS 157.200</a>                            | 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      | Josh Whitlow,<br>502-564-5279,<br>ext. 4450<br>Veronica Sullivan<br>502-564-4970,<br>ext. 4414          |
| <a href="#">KRS 158.033</a><br><br>Repeals KRS 157.270 | 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)<br>502-564-5279,<br>ext. 4444<br>April Pieper (IEP)<br>502-564-4970,<br>ext. 4117 |
| <a href="#">KRS 157.320</a>                            | Aggregate days include the total days students are suspended or expelled                         | SSP1, SSP2, SSP3   | 7-12-2006      | Ronda Devine,<br>502-564-5279,<br>ext. 4444<br>Windy Spalding<br>502-564-5130,<br>ext. 4063             |
| <a href="#">KRS 157.350</a>                            | 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,<br>502-564-5279,<br>ext. 4444   |
| <a href="#">KRS 157.360</a>                            | 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,<br>502-564-5279,<br>ext. 4444   |
| <a href="#">KRS 157.370</a>                            | Allotment of transportation units  | Transportation funding, T-codes  | 7-15-1996      | Josh Whitlow,<br>502-564-5279,<br>ext. 4450   |
| <a href="#">KRS 158.030</a>                            | Age and date for   | School board to adopt a  | 7-12-          | Pamela Wininger   |

| Stature/Regulation Number          | Title/Subject  | Brief Description  | Effective Date | KDE Contact  |
|------------------------------------|--|--|----------------|--|
|                                    | school entry.<br>Parent petition for early entry to school.  | policy for a parent to request early entry to school even if the child does not meet the entrance age requirement  | 2012           | 502-564-2106,<br>ext. 4509   |
| <a href="#"><u>KRS 158.060</u></a> | 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,<br>502-564-5279,<br>ext. 4444<br>Josh Whitlow,<br>502-564-5279,<br>ext. 4450 |
| <a href="#"><u>KRS 158.070</u></a> | Sets out the requirements for the school term  | Holidays, continuing education, athletic competitions, emergency hours and service credit  | 7-15-2014      | Ronda Devine,<br>502-564-5279,<br>ext. 4444<br>Josh Whitlow,<br>502-564-5279,<br>ext. 4450 |
| <a href="#"><u>KRS 158.080</u></a> | 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      | Jeanna Gonzales<br>502-564-3791,<br>ext. 4024  |
| <a href="#"><u>KRS 158.100</u></a> | 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.   | 7-15-2014      | Ronda Devine,<br>502-564-5279,<br>ext. 4444<br>April Stanley<br>502-564-2116,<br>ext. 4040 |
| <a href="#"><u>KRS 158.120</u></a> | 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,<br>502-564-5279,<br>ext. 4444  |
| <a href="#"><u>KRS 158.144</u></a> | Adult caregiver with whom minor student resides may, by affidavit, establish authority to make school-related decisions for minor student. | 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 the official has | 7-15-2014      | Todd Allen<br>Deputy General Counsel<br>KDE<br>502-564-4474                                |

| Stature/Regulation Number | Title/Subject                                     | Brief Description  | Effective Date | KDE Contact                                 |
|---------------------------|---|--|----------------|---|
|                           | <u>Caregiver Affidavit Model</u>                  | reasonable grounds to believe that the affidavit is presented solely for the purpose of enrolling the minor in a school for the purpose of:<br>1. Access to athletics programs; or<br>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. |                |   |
| <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      | Windy Spalding<br>502-564-5130,<br>ext.4063 |
| <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,<br>502-564-5279,<br>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 excused/exempt.   | 7/1/2000       | Ronda Devine,<br>502-564-5279,<br>ext. 4444 |

| Stature/Regulation Number | Title/Subject  | Brief Description   | Effective Date | KDE Contact  |
|---------------------------|--|---|----------------|--|
| <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      | Jeanna Gonzales 502-564-3791, ext. 4024  |
| <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<br>Josh Whitlow, 502-564-5279, ext. 4450 |
| <u>KRS 159.040</u>        | Attendance at private and parochial schools  | Open to inspection by DPPs at all times   | 7-15-1996      | Jeanna Gonzales 502-564-3791, ext. 4024  |
| <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      | 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  |
| <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;   | Covered by KSIS – tracking students and   | 6-26-2007      | Ronda Devine, 502-564-5279,  |

| Stature/Regulation Number | Title/Subject   | Brief Description   | Effective Date | KDE Contact   |
|---------------------------|---|---|----------------|---|
|                           | teachers to report  | transferring student records  |                | ext. 4444<br>Josh Whitlow,<br>502-564-5279,<br>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,<br>502-564-5279,<br>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      | Krystal Smith<br>502-564-3846,<br>ext.4425                  |
| <u>KRS 405.023</u>        | Establishes the Care Support Program<br><br><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<br>Deputy General Counsel<br>KDE<br>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.<br><br><u>Affidavit Tools and Links</u> | 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<br>Deputy General Counsel<br>KDE<br>502-564-4474 |
| <u>KRS 600.070</u>        | Release of educational records  | Juvenile justice system requests for student records to be complied with  | 6-25-2013      | Ronda Devine,<br>502-564-5279,<br>ext. 4444                 |
| <u>702 KAR 5:100</u>      | Handicapped (IEPs) – reimbursement for special  | T5 codes, ensures that students with special needs are accommodated   | 10-14-1990     | Josh Whitlow,<br>502-564-5279,<br>ext. 4450                 |

| Stature/Regulation Number | Title/Subject  | Brief Description   | Effective Date | KDE Contact   |
|---------------------------|--|---|----------------|---|
|                           | transportation   |   |                |   |
| <u>702 KAR 7:125</u>      | Pupil Attendance   | Clarifies additional attendance requirements  | 3-7-2014       | Ronda Devine,<br>502-564-5279,<br>ext. 4444<br>Josh Whitlow,<br>502-564-5279,<br>ext. 4450              |
| <u>702 KAR 7:140</u>      | School day and year schedule   | Master bell schedule must be on file at the district and the schools  | 1-5-2015       | Ronda Devine,<br>502-564-5279,<br>ext. 4444<br>Josh Whitlow,<br>502-564-5279,<br>ext. 4450              |
| <u>702 KAR 3:270</u>      | SEEK Funding Formula   | Transportation codes must be properly recorded in the KSIS (T1-T5)  | 9-8-2008       | Ronda Devine,<br>502-564-5279,<br>ext. 4444   |
| <u>704 KAR 3:305</u>      | Minimum requirements for HS graduation   | Performance based and Virtual courses – attendance credit   | 3-7-2014       | Josh Whitlow<br>502-564-5279,<br>ext. 4450  |
| <u>704 KAR 5:060</u>      | 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 Wininger<br>502-564-2106,<br>ext. 4509   |
| <u>704 KAR 7:090</u>      | Homeless children education program  | Nonresident students are not allowed to participate in the MV program   | 10-7-1993      | Melissa Ferrell<br>502-564-3791,<br>ext. 4020   |
| <u>704 KAR 7:120</u>      | Home and Hospital Instruction (HH)   | Sets out requirements for how students qualify for HH services (with or without IEPs), educational services, and attendance | 4-22-2005      | Ronda Devine (no IEP)<br>502-564-5279,<br>ext. 4444<br>April Pieper (IEP)<br>502-564-4970,<br>ext. 4117 |
| <u>601 KAR 13.070</u>     | 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      | Doug Roberts<br>502-564-2116<br>ext. 4055   |

| Stature/Regulation Number                                 | Title/Subject                                       | Brief Description   | Effective Date | KDE Contact                                   |
|---|---|---|----------------|---|
| <u>OAG 82-44</u>  | Exceptions to Kindergarten Entry Age                | Students enrolled in other state Kindergarten programs who transfer to KY are enrolled in KY Kindergarten   | 1982           | Pamela Wininger<br>502-564-2106,<br>ext. 4509 |
| <u>USC Section 725 (2) and (6) and Section 103 (a)(1)</u> | McKinney-Vento: Federal Register Homeless Education | Federal Enrollment Guidelines for Homeless Students   | 3/8/2002       | Melissa Ferrell<br>502-564-3791,<br>ext. 4020 |
| <u>KRS 160.1593</u>                                       | Charter School Application                          | Application to establish public charter school -- Submission to authorizer and state board -- Required application information                      | 7/14/2022      | Ronda Devine<br>502-564-5279,<br>ext. 4444    |
| <u>KRS 160.1592</u>                                       | Charter School                                      | Public charter schools part of state's public education system  | 7/14/2022      | Ronda Devine<br>502-564-5279,<br>ext. 4444    |
| <u>KRS 160.1591</u>                                       | Charter Schools                                     | Legislative findings and declarations -- Public charter school project  | 7/14/2022      | Ronda Devine<br>502-564-5279,<br>ext. 4444    |
| <u>KRS 160.1590</u>                                       | Charter Schools                                     | Definitions for KRS 160.1590 to 160.1599  | 7/14/2022      | Ronda Devine<br>502-564-5279,<br>ext. 4444    |
| <u>KRS 160.1596</u>                                       | Charter School contract elements                    | Board of directors of public charter schools -- Required elements of charter contract with authorizer -- Calculation of daily average attendance -- | 7/14/2022      | Ronda Devine<br>502-564-5279,<br>ext. 4444    |

## 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).

**PAM** – Pupil Attendance Manual

**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)

**SSYP** – Supplemental School Year Plan

**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.

**VSIIY** – Variable School Instructional Year

**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.

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