702 KAR 7:140. School calendar.

RELATES TO: KRS 157.320, 157.350, 158.060, 158.070
STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.060, 158.070
NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070, 156.160, 157.320, 158.060, and 158.070 define the school day and month and require the Kentucky Board of Education (KBE) to promulgate administrative regulations governing the make-up of school days missed. KRS 158.070 defines the school term and requires the KBE to promulgate administrative regulations governing the use of school days and the establishment of school calendars. This administrative regulation establishes the requirements for school districts to follow regarding school calendars.

Section 1. Calendar Requirements.

(1) The local board of education shall adopt a school calendar on or before May 15 of each year. The calendar shall:

(a) Establish the length of each student attendance day, in accordance with KRS 158.060(3); and

(b) Set the instructional time the local board of education requires for kindergarten per KRS 157.320(7).

(2) Opening day shall be scheduled to occur prior to the first student attendance day of the student instructional year.

(3) Closing day shall be scheduled to occur following the completion of the last student attendance day of the student instructional year.

(4) Local school districts shall plan, in accordance with this subsection, for the make-up of instructional time missed due to emergency. In addition to the minimum 1,062 hour student instructional year, the school calendar shall include days equal to the greatest number of days missed system-wide in the local school district over the preceding five (5) school years.

(5) Graduation ceremonies may be held before the end of the student instructional year. Diplomas shall be distributed after completion of the student instructional year.

Section 2. Calendar Approval.

(1) The local board of education shall file each adopted school calendar, which complies with the requirements of Section 1 of this administrative regulation, with the department no later than June 30 of each year. The local school district shall not be paid any installment of its Support Education Excellence in Kentucky (SEEK) program allotment until the school calendar has been approved by the department.

(2) The local board of education, upon recommendation of the local school district superintendent, may amend the school calendar.

(3) An amended school calendar, which complies with the requirements of Section 1 of this administrative regulation, shall be submitted for approval to the department no later than June 30 of each year.

Section 3. Instructional Time Missed.

(1) The regularly scheduled student attendance day shall not be shortened after the school calendar has been adopted by the local board of education and approved by the department except in cases of emergency declared by the local school district superintendent in accordance with policies of the local board of education.

(2) The local school district shall not be required to make up a total of five (5) hours missed each student instructional year that were missed as a result of student attendance days shortened due to emergency. These hours shall be reported to the department on the amended school calendar and shall be included in the calculation of total hours of instructional time for the student instructional year.

(3) Except as provided in subsection (2) of this section, all instructional time missed on student attendance days shortened due to emergency shall be made up and shall be reported to the department on the amended school calendar.

Section 4. Emergency Day Waiver.

(1) A school district shall not be granted an emergency day waiver unless the district has missed more than twenty (20) regular student attendance days district-wide 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.

(2) A local board of education request for a district-wide emergency day waiver shall be submitted to the commissioner for approval. A copy of the local board order shall accompany this request. An approved emergency day waiver shall be the length of the student attendance day established in the approved calendar.

(3) A local board of education may request an emergency day waiver if one (1) school, or part of the district, is forced to miss school on a particular student attendance day due to an emergency. The request shall be submitted to the commissioner for approval. A copy of the local board order shall accompany this request. An approved emergency day waiver shall be the length of the student attendance day established in the approved calendar.

Section 5. Activities of the Student Attendance Day.

(1) The following shall constitute the activities to be conducted during the student attendance day:

(a) Courses and content included in the Kentucky Core Academic Standards, pursuant to 704 KAR 3:303;

(b) Cocurricular activities which are unequivocally instructional in nature, directly related to the instructional program and scheduled to minimize absences from classroom instruction; and

(c) A maximum of five (5) minutes passing time between instructional periods, and travel time required to participate in regular instructional programs off of the school campus including vocational schools, day treatment centers, and alternative schools. Travel time to off-campus facilities shall be scheduled to minimize absence from classroom instruction.

(2) The local board of education shall adopt a policy specifying cocurricular instructional activities which may be included in the student attendance day, as described in subsection (1)(b) of this section.

(3) Each school shall have available a master (bell) schedule that delineates instructional time periods and noninstructional time periods for all grade levels served and schedules provided. An up-to-date master (bell) schedule shall be on file in a school. Up-to-date master (bell) schedules for each school in a district shall be on file in the district's central office.

(36 Ky.R. 497; Am. 1217; eff. 1-4-2010; 41 Ky.R. 600; 1339; eff. 1-5-2015; Cert Eff. 12-1-2021.)