

**158.444 Administrative regulations relating to school safety -- Role of Department of Education to maintain statewide data collection system -- Reportable incidents -- Annual statistical reports -- Confidentiality.**

- (1) The Kentucky Board of Education shall promulgate appropriate administrative regulations relating to school safety, student discipline, and related matters.
- (2) The Kentucky Department of Education shall:
  - (a) Collaborate with the Center for School Safety in carrying out the center's mission;
  - (b) Establish and maintain a statewide data collection system by which school districts shall report by sex, race, and grade level:
    1.
      - a. All incidents of violence and assault against school employees and students;
      - b. All incidents of possession of guns or other deadly weapons on school property or at school functions;
      - c. All incidents of the possession or use of alcohol, prescription drugs, or controlled substances on school property or at school functions; and
      - d. All incidents in which a student has been disciplined by the school for a serious incident, including the nature of the discipline, or charged criminally for conduct constituting a violation of any offense specified in KRS Chapter 508; KRS 525.070 occurring on school premises, on school-sponsored transportation, or at school functions; or KRS 525.080;
    2. The number of arrests, the charges, and whether civil damages were pursued by the injured party;
    3. The number of suspensions, expulsions, and corporal punishments; and
    4. Data required during the assessment process under KRS 158.445; and
  - (c) Provide all data collected relating to this subsection to the Center for School Safety according to timelines established by the center.
- (3) The Department of Education shall provide the Office of Education Accountability and the Education Assessment and Accountability Review Subcommittee with an annual statistical report of the number and types of incidents reported under subsection (2)(b) of this section. The report shall include all monthly data and cumulative data for each reporting year. Reportable incidents shall be grouped in the report in the same manner that the reportable incidents are grouped in subsection (2)(b)1. of this section. Data in the report shall be sorted by individual school district, then by individual schools within that district, and then by individual grades within each school. The report shall not contain information personally identifying any student. The reporting period shall be for an academic year, and shall be delivered no later than August 31 of each year.
- (4) All personally identifiable student data collected pursuant to subsection (2)(b) of this section shall be subject to the confidentiality provisions of the Kentucky Family

Education Rights and Privacy Act, KRS 160.700 to 160.730, and to the federal Family Educational Rights and Privacy Act, 20 U.S.C. sec. 1232g, and its implementing regulations.

- (5) Parents, legal guardians, or other persons exercising custodial control or supervision shall have the right to inspect or challenge the personally identifiable student records as permitted under the Kentucky Family Education Rights and Privacy Act and the federal Family Educational Rights and Privacy Act and implementing regulations.
- (6) Data collected under this section on an individual student committing an incident reportable under subsection (2)(b)1. of this section shall be placed in the student's disciplinary record.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 125, sec. 2, effective July 15, 2008. -- Created 1998 Ky. Acts ch. 493, sec. 5, effective April 10, 1998.