

APPENDIX

TABLE OF CONTENTS

Appendix A	Order in the United States Court of Appeals for the Sixth Circuit (Nov. 29, 2020)	App. 1
Appendix B	Memorandum Opinion and Order in the United States District Court for the Eastern District of Kentucky (Nov. 25, 2020)	App. 9
Appendix C	Verified Complaint.....	App. 32
Appendix D	Executive Order 2020-969 (Nov. 18, 2020)	App. 71
Appendix E	Executive Order 2020-968 (Nov. 18, 2020)	App. 74
Appendix F	E-mail from the Office of the Governor (Nov. 19, 2020)	App. 78
Appendix G	Danville Christian Academy, Inc.’s Reopen Frequently Asked Questions	App. 80
Appendix H	Healthy at Work Requirements for Office- Based Businesses.....	App. 87
Appendix I	Danville Christian Academy, Inc.’s Articles of Incorporation.....	App. 90
Appendix J	Declaration of Steven J. Stack, M.D. .	App. 97

Appendix A
(Court of Appeals Docket No. 36-2)

RECOMMENDED FOR PUBLICATION
Pursuant to Sixth Circuit I.O.P. 32.1(b)

File Name: 20a0371p.06

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

COMMONWEALTH OF KENTUCKY, Attorney General
Daniel Cameron, ex rel. DANVILLE CHRISTIAN
ACADEMY, INC., et al.,

Plaintiffs-Appellees,

v.

ANDREW G. BESHEAR, in his official capacity as
Governor of the Commonwealth of Kentucky,

Defendant-Appellant.

No. 20-6341

Appeal from the United States District Court
for the Eastern District of Kentucky at Frankfort.
No. 3:20-cv-00075—Gregory F. Van Tatenhove, District Judge.

Decided and Filed: November 29, 2020

Before: MOORE, ROGERS, and WHITE, Circuit Judges.

COUNSEL

ON MOTION FOR A STAY OF PRELIMINARY INJUNCTION PENDING APPEAL:

Amy D. Cubbage, S. Travis Mayo, Marc G. Farris, Taylor Payne, OFFICE OF THE GOVERNOR, Frankfort, Kentucky, for Appellant. **ON RESPONSE:** Barry L. Dunn, S. Chad Meredith, Matthew F. Kuhn, Carmine G. Iaccarino, Brett R. Nolan, OFFICE OF THE KENTUCKY ATTORNEY GENERAL, David J. Hacker, Roger Byron, FIRST LIBERTY INSTITUTE, Plano, Texas, for Appellees. **ON BRIEF:** Christopher Wiest, CHRIS WIEST, ATTY AT LAW, PLLC, Crestview Hills, Kentucky, Thomas Bruns, BRUNS CONNELL VOLLMAR ARMSTRONG, Cincinnati, Ohio, Bryan H. Beauman, STURGILL, TURNER, BARKER & MOLONEY, PLLC, Lexington, Kentucky, John J. Bursch, ALLIANCE DEFENDING FREEDOM, Washington, D.C., Noah R. Friend, KENTUCKY STATE TREASURER, Frankfort, Kentucky, Ryan Morrison, Louisville, Kentucky, for Amici Curiae.

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 2

ORDER

This is an appeal from a preliminary injunction, primarily based on the Free Exercise Clause of the First Amendment, against enforcement of a COVID-19-related executive order by Governor Andrew G. Beshear prohibiting in-person instruction at all public and private elementary and secondary schools in the Commonwealth. The Governor moves to stay the preliminary injunction pending appeal. Plaintiffs respond in opposition, and a number of amici curiae join in opposition. Primarily because plaintiffs are unlikely to succeed on the merits of their Free Exercise claim, the preliminary injunction should not have been entered. This is because of the likelihood that our court will rule that the order in question is neutral and of general applicability. The Governor’s motion will therefore be granted.

The Commonwealth, along with many other parts of the country, is experiencing a recent surge in COVID-19 cases. In response to this surge, the Governor implemented new public health measures, including the one at issue here: On November 18, 2020, he issued Executive Order 2020-969, which prohibits in-person instruction at all public and private elementary and secondary schools in the Commonwealth. The order provides that elementary schools may, under certain circumstances, reopen for in-person instruction between December 7, 2020 and January 4, 2021; middle and high schools, however, may reopen for in-person instruction no sooner than January 4, 2021. The order excepts from its requirements “small group in-person targeted services” and “private schools conducted in a home solely for members of that household.” R. 1-1, Page ID# 40. The order also excepts, by omission, both preschools and colleges or universities. *See id.*

As the Governor explains, elementary and secondary schools pose unique problems for public health officials responding to the COVID-19 pandemic. Compliance with masking and social distancing requirements is difficult to maintain, and students receiving in-person instruction must in any event remove their facial coverings to eat. The Commonwealth is particularly vulnerable to these problems, as it “leads the nation in children living with relatives

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 3

other than their parents – including grandparents and great-grandparents, who are especially vulnerable to the disease.” Mot. at 11–12 (citation omitted). “Kentuckians also have high rates of comorbidities that can lead to severe cases of COVID-19, including heart and lung conditions.” *Id.* at 12 (citation omitted).

Shortly after the Governor issued Executive Order 2020-969, plaintiffs filed a complaint asserting in part that the order, as it applies to private, religious schools in the Commonwealth, violates the Free Exercise and Establishment Clauses of the First Amendment and the Kentucky Religious Freedom Restoration Act (“RFRA”). On November 25, 2020, the district court granted plaintiffs’ motion for preliminary injunctive relief and enjoined the Governor from enforcing the order against any private, religious school in the Commonwealth that otherwise adheres to Commonwealth’s public health measures. This appeal followed.

As an initial matter, a party must ordinarily move first in the district court for a stay pending appeal. Fed. R. App. P. 8(a)(1). In-person instruction, however, is expected to resume at religious schools in the Commonwealth this coming Monday. Moving first in the district court would therefore have been impracticable, and we consider the Governor’s motion under Rule 8(a)(2).

“In determining whether a stay should be granted . . . , we consider the same four factors that are traditionally considered in evaluating the granting of a preliminary injunction.” *Mich. Coal. of Radioactive Material Users, Inc. v. Griepentrog*, 945 F.2d 150, 153 (6th Cir. 1991). These factors are: “(1) the likelihood that the party seeking the stay will prevail on the merits of the appeal; (2) the likelihood that the moving party will be irreparably harmed absent a stay; (3) the prospect that others will be harmed if the court grants the stay; and (4) the public interest in granting the stay.” *Id.* “These factors are not prerequisites that must be met, but are interrelated considerations that must be balanced together.” *Id.* “When a party seeks a preliminary injunction on the basis of a potential constitutional violation,” however, “the likelihood of success on the merits often will be the determinative factor.” *City of Pontiac Retired Emps. Ass’n v. Schimmel*, 751 F.3d 427, 430 (6th Cir. 2014) (order) (en banc) (per curiam) (citation omitted).

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 4

In considering whether to stay a preliminary injunction, we review the district court’s legal conclusions *de novo*. *Id.* “We review ‘for abuse of discretion, however, the district court’s ultimate determination as to whether the four preliminary injunction factors weigh in favor of granting or denying preliminary injunctive relief.’” *Id.* (citation omitted).

“The Free Exercise Clause of the First Amendment, which has been applied to the States through the Fourteenth Amendment, provides that ‘Congress shall make no law respecting an establishment of religion, or *prohibiting the free exercise thereof*’” *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 531 (1993) (alteration in original) (internal citation omitted). “On one side of the line, a generally applicable law that incidentally burdens religious practices usually will be upheld.” *Roberts v. Neace*, 958 F.3d 409, 413 (6th Cir. 2020) (order) (per curiam) (citing *Emp. Div., Dep’t of Hum. Res. of Or. v. Smith*, 494 U.S. 872, 878–79 (1990)). “On the other side of the line, a law that discriminates against religious practices usually will be invalidated because it is the rare law that can be ‘justified by a compelling interest and is narrowly tailored to advance that interest.’” *Id.* (quoting *Church of Lukumi*, 508 U.S. at 533).

Executive Order 2020-969 applies to all public and private elementary and secondary schools in the Commonwealth, religious or otherwise; it is therefore neutral and of general applicability and need not be justified by a compelling governmental interest. *See id.* We assume that Danville Christian Academy is motivated by a “sincerely held religious belief” regarding in-person schooling, but that is not determinative where there is a neutral rule of general applicability, as there is here, any more than it would have been determinative in *Smith*, 494 U.S. 872, if plaintiffs had in that case shown a sincere religious belief that peyote should be used.

Recent binding and persuasive authority does not compel a contrary result. In *Roman Catholic Diocese of Brooklyn v. Cuomo*, ___ S. Ct. ___, 2020 WL 6948354 (Nov. 25, 2020) (per curiam), the challenged COVID-19 order restricted attendance at religious services. *Id.* at *1. In *Roberts*, 958 F.3d 409, and *Maryville Baptist Church, Inc. v. Beshear*, 957 F.3d 610 (6th Cir. 2020) (order) (per curiam), the challenged COVID-19 orders prohibited attendance at drive-

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 5

in and in-person worship services. *Maryville*, 957 F.3d at 611; *Roberts*, 958 F.3d at 411. The orders at issue in those cases, applying specifically to houses of worship, are therefore distinguishable. Moreover, the order at issue in *Roman Catholic Diocese* treated schools, factories, liquor stores, and bicycle repair shops, to name only a few, “less harshly” than houses of worship. 2020 WL 6948354 at *2; *see also id.* at *4 (Gorsuch, J., concurring). Similarly, the orders at issue in *Roberts* and *Maryville Baptist Church* excepted from their requirements airlines, funeral homes, liquor stores, and gun shops, again to name only a few. *See Roberts*, 958 F.3d at 414; *Maryville Baptist Church*, 957 F.3d at 614. No such comparable exceptions apply to Executive Order 2020-969. And the exceptions expressly provided for in the order—for “small group in-person targeted services” and “private schools conducted in a home”—are nothing like “the four pages of exceptions in the orders” addressed in *Roberts*, 958 F.3d at 413. The contours of the order at issue here also in no way correlate to religion, and cannot be plausibly read to contain even a hint of hostility towards religion. *Cf. Roman Catholic Diocese*, 2020 WL 6948354, at *1.

Justice Kavanaugh has reasoned that, under *Smith*, 494 U.S. 872, we should look “not [to] whether religious worship services are all alone in a disfavored category, but why they are in the disfavored category to begin with.” *Calvary Chapel Dayton Valley v. Sisolak*, 140 S. Ct. 2603, 2614 (2020) (Mem.) (Kavanaugh, J., dissenting). Here, religious schools are in the category of “K–12 schools” because the reasons for suspending in-person instruction apply precisely the same to them. *See Church of Lukumi*, 508 U.S. at 543. Any burden on plaintiffs’ religious practices is “incidental” and therefore not subject to strict scrutiny. *See Roberts*, 958 F.3d at 413. In Justice Kavanaugh’s concurrence in *Roman Catholic Diocese*, he emphasized that, “[i]n light of the devastating pandemic, . . . the State[has the] authority to impose tailored restrictions—even very strict restrictions—on attendance at religious services and secular gatherings alike.” 2020 WL 6948354, at *8 (Kavanaugh, J., concurring). Executive Order 2020-969 does just that. Unlike in *Roman Catholic Diocese*, there is no evidence that the challenged restrictions were “targeted” or “gerrymandered” to ensure an impact on religious groups. *Id.* at *1. In addition, while many of the houses of worship in *Roman Catholic Diocese* could seat well over 500 people, they were subject to attendance caps of ten or twenty-five

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 6

persons, while retail businesses were not. *See id.* at *2. There is no comparable harsh requirement aimed at religious institutions here.

Nor does the ministerial exception apply in this case. Relying on *Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 140 S. Ct. 2049 (2020), plaintiffs assert that “[t]he Governor . . . cannot tell religious institutions and churches that they *can* hold in-person worship services but *cannot* hold in-person schooling” because this would intrude into the autonomy of religious institutions and how they administer their religious missions. R. 1, Page ID# 31. The ministerial exception protects a church’s autonomy with respect to matters of doctrine and church government, but those are not affected here. The ministerial exception “does not mean that religious institutions enjoy a general immunity from secular laws.” *Our Lady of Guadalupe Sch.*, 140 S. Ct. at 2060.

We are not in a position to second-guess the Governor’s determination regarding the health and safety of the Commonwealth at this point in time. *See Roman Catholic Diocese*, 2020 WL 6948354, at *3 (“Members of this Court are not public health experts, and we should respect the judgment of those with special expertise and responsibility in this area.”); *cf. Brown v. Thomson*, 462 U.S. 835, 847–48 (1983) (“[S]ubstantial deference is to be accorded the political decisions of the people of a State acting through their elected representatives.”). Because Executive Order 2020-969 is neutral and generally applicable, we also need not address the Governor’s argument that the order is in any event narrowly tailored to advance a compelling governmental interest. That requirement applies only if the challenged restriction is not neutral and generally applicable. In determining that plaintiffs are unlikely to succeed on the merits of their Free Exercise claim, we also have no need to rely upon either *South Bay United Pentecostal Church v. Newsom*, 140 S. Ct. 1613 (2020) (Mem.) (Roberts, C.J., concurring), or *Jacobson v. Massachusetts*, 197 U.S. 11 (1905). Nor do we rely upon our prior unpublished order in *Libertas Classical Ass’n v. Whitmer*, No. 20-2085 (6th Cir. Nov. 20, 2020) (order).

In addition to their Free Exercise claim, plaintiffs are unlikely to succeed on their claims under the Establishment Clause and the Kentucky RFRA, for essentially the reasons given by the district court. As to the remaining equitable factors, the interests of each side are facially substantial in this case. Furthermore, “treatment of similarly situated entities in comparable

No. 20-6341

*Commonwealth of Ky., ex rel. Danville
Christian Academy, Inc. v. Beshear*

Page 7

ways serves public health interests at the same time it preserves bedrock free-exercise guarantees.” *Roberts*, 958 F.3d at 416. In such a case, the unlikelihood of success on the merits is determinative. *See id.* Finally, because we are staying the district court’s preliminary injunction, we need not address at this point whether it was proper for the district court to apply the injunction statewide.

For the reasons above, the motion to stay the district court’s preliminary injunction pending appeal is **GRANTED**. The parties’ motions for leave to exceed the word limit are **GRANTED**. The motions to file amici briefs on behalf of a number of Kentucky religious schools, sponsoring churches, and parents, as well as the motion to file an amicus brief on behalf of the Kentucky State Treasurer, are **GRANTED**.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk

Appendix B
(District Court Docket No. 35)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
FRANKFORT

DANVILLE CHRISTIAN ACADEMY,
INC., *et al.*,

Plaintiffs,

v.

ANDREW BESHEAR, in his official
capacity as Governor of Kentucky,

Defendant.

Civil No. 3:20-cv-00075-GFVT

**OPINION
&
ORDER**

*** **

Part of the genius of the American tradition is that right from the start we were clear about what mattered. We even made a list, the Bill of Rights. Think of it as a catalogue of values so dear that they deserved protection from future edicts or even majorities at a moment in time. Infringing these values is rare. They matter that much.

This case is about one of those values—the ability we each have to follow our religious convictions without interference from the government. Religious schools across the Commonwealth have been closed by the Governor to in-person teaching along with secular schools. This prevents the corporate nature of religious education which is insinuated with worship, prayer, and mentoring.

Many thoughtful people believe that the reason for the Governor’s action is a good one—the Commonwealth, indeed the country and the world, is facing the worst pandemic in over one hundred years. That may be one reason to close schools. But is it a good enough reason to keep religious schools from fully achieving their mission?

The Governor has every right to impose some restrictions on all schools, religious and secular alike. Social distancing, face masks, limits on class size, reporting requirements, and other protocols may cost money and may be inconvenient for parents and students, but we give executives increased discretion in times of crisis. But in an effort to do the right thing to fight the virus, the Governor cannot do the wrong thing by infringing protected values. So, as explained in detail below, the movants are likely to succeed on the merits of this case. The request for a Preliminary Injunction will be GRANTED.

I

This is not the governor's first executive order imposing restrictions in an effort to slow the spread of Covid-19. And this is not the first legal challenge to those orders. *See e.g., Maryville Baptist Church, Inc.*, 957 F.3d 610 (6th Cir. 2020); *Roberts v. Neace*, 958 F.3d 409 (6th Cir. 2020); *Cameron v. Beshear*, 2020 WL 2573463 (E.D. Ky. May 21, 2020). On November 18, 2020, Governor Beshear issued Executive Order 2020-969 which, in part, (1) requires all public and private K-12 schools in the state to cease in-person instruction and transition to virtual learning starting on November 23, 2020; (2) requires all middle and high schools to remain virtual until at least January 4, 2021; and (3) allows some elementary schools to resume in-person instruction between December 7, 2020, and January 4, 2021, but only if the school is not located in a "Red Zone County" and follows all expectations and best practices. [Exec. Order 2020-969.]

Plaintiff Danville Christian Academy, Inc.¹ is a Christian private school located in Danville, Kentucky, that describes its mission as "to mold Christ-like scholars, leaders, and

¹ The plaintiffs in this case include Danville Christian Academy and Attorney General Daniel Cameron *ex rel* the Commonwealth of Kentucky. In this order, all references to Danville Christian encompass arguments made by both Danville Christian and the Attorney General.

servants who will advance the Kingdom of God.” [R. 3 at 4.] Danville Christian states that it has a sincerely held religious belief that “it is called by God to have in-person religious and academic instruction for its students.” [R. 1 at 25.] Danville students must attend one of two socially distanced chapel services each week, which include “religious instruction and preaching, corporate prayer, musical worship, communal recognition, and encouragement of individual students.” *Id.* at 19. Danville Christian also holds daily corporate prayer at the beginning of the school day, in addition to corporate prayer in each classroom and before lunch. *Id.*

On the afternoon of Friday, November 20, 2020, Danville Christian and the Kentucky Attorney General filed a complaint, alleging that Governor Beshear’s executive order violated its constitutional rights.² Most prominently, Danville Christian believes that Executive Order 2020-969 violates its First Amendment rights to free exercise of religion and argues it is likely to succeed on the merits of its claims because the orders are not narrowly tailored to serve the public health interest.³

² In ruling on the preliminary injunction, the Court held a hearing on November 23, 2020. Danville Christian originally filed a TRO, but the Court determined that for the sake of judicial economy and given how the parties chose to proceed in briefing and filing, a preliminary injunction was more appropriate. Counsel for Danville Christian, the Attorney General, and Governor Beshear participated in the hearing. Kentucky State Treasurer Allison Ball filed an *amicus* brief in support of Danville Christian [R. 21] as did “Parents of Religious Students” [R. 23] and a group of nine religious private schools in Kentucky. [R. 19.]

³ The executive order has yet to be enforced against Plaintiff Danville Christian, despite the fact that the order went into effect on November 23, 2020, because at oral argument the Governor agreed not to enforce the order pending resolution of this matter. However, the Court notes that there is no issue at this preliminary stage concerning Danville Christian’s ability to establish standing in this challenge. *McKay v. Federspiel*, 823 F.3d 862 867 (6th Cir. 2016); *see also Michigan Gas Co. v. F.E.R.C.*, 115 F.3d 1266, 1269 (6th Cir. 1997) (“Standing ‘is a qualifying hurdle that plaintiffs must satisfy even if raised sua sponte by the court.’”). To bring such a challenge, a plaintiff must sufficiently allege (1) “an intention to engage in a course of conduct arguably affected with a constitutional interest,” (2) that is “proscribed by a [law],” and (3) “there exists a credible threat of prosecution thereunder.” *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 159 (2014) (citation omitted). It is beyond dispute that the first two elements are easily met. As to the third element, the Court notes first that violation of the recently promulgated executive orders is a Class A misdemeanor under Kentucky law. *See* KRS § 39A.990; *see also* KRS § 532.020(2); KRS § 534.040 (setting forth the penalties for a Class A misdemeanor). And second, there is an established record of enforcement in the churches context that have violated the executive order in a similar way that Danville Christian proposes in the school context. *See Maryville Baptist Church v. Beshear*, 957 F.3d 610, 611–12 (6th Cir. 2020); *Roberts v. Neace*, 958 F.3d 409 (6th Cir. 2020). Thus, it appears that Danville Christian also meets this third and final element. In sum, on the limited record before the Court, it appears that Danville Christian meets each element of the pre-enforcement standing analysis and, notably, the Governor has advanced no argument to the contrary.

II

“A preliminary injunction is an extraordinary remedy which should be granted only if the movant carries his or her burden of proving that the circumstances clearly demand it.”

Overstreet v. Lexington–Fayette Urban County Government, 305 F.3d 566, 573 (6th Cir. 2002) (citing *Leary v. Daeschner*, 228 F.3d 729, 739 (6th Cir. 2000) (cleaned up) (“[A] preliminary injunction involv[es] the exercise of a very far-reaching power”). To issue a preliminary injunction, the Court must consider: 1) whether the movant has shown a strong likelihood of success on the merits; 2) whether the movant will suffer irreparable harm if the injunction is not issued; 3) whether the issuance of the injunction would cause substantial harm to others; and 4) whether the public interest would be served by issuing the injunction. *Overstreet*, 305 F.3d at 573 (citations omitted).

The Court of Appeals clarified that, “[w]hen a party seeks a preliminary injunction on the basis of a potential constitutional violation, the likelihood of success on the merits often will be the determinative factor.” *City of Pontiac Retired Employees Ass’n v. Schimmel*, 751 F.3d 427, 430 (6th Cir. 2014) (quoting *Obama for Am. v. Husted*, 697 F.3d 423, 436 (6th Cir. 2012)). However, even if the plaintiff is unable “to show a strong or substantial probability of ultimate success on the merits” an injunction can be issued when the plaintiff “at least shows serious questions going to the merits and irreparable harm which decidedly outweighs any potential harm to the defendant if an injunction is issued.” *In re Delorean Motor Co.*, 755 F.2d 1223, 1229 (6th Cir. 1985). Thus, Danville Christian must show that the foregoing preliminary injunction factors are met, and that immediate, irreparable harm will result if the injunction is not issued.

A

The First Amendment, applied to the Commonwealth of Kentucky through the Fourteenth Amendment, *see Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940), provides that “Congress shall make no law respecting an establishment of religion, or exercising the free exercise thereof,” with few exceptions. U.S. Const. amend. 1. “When constitutional rights are threatened or impaired, irreparable injury is presumed.” *ACLU Fund of Mich. v. Livingston Cty.*, 796 F.3d 636, 649 (6th Cir. 2015) (internal citations omitted). The Supreme Court has held “[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373 (1976). This is precisely what Danville Christian alleges: violation of its First Amendment rights, specifically its right to exercise its religion. [R. 1.] Precedent within the Sixth Circuit establishes that, “when a party seeks a preliminary injunction on the basis of a ... violation of the First Amendment, the likelihood of success on the merits often will be the determinative factor.” *Jones v. Caruso*, 569 F.3d 258, 265 (6th Cir. 2009).

Of course, “[t]he possession and enjoyment of all rights are subject to such reasonable conditions as may be deemed by the governing authority of the country essential to the safety, health, peace, good order and morals of the community.” *Crowley v. Christensen*, 137 U.S. 86, 89 (1890). The question becomes, then, whether the prohibition on in-person teaching issued by Governor Beshear amounts to “reasonable conditions” on Kentuckians’ constitutional right to free exercise of their sincerely-held religious beliefs. Context is important. The orders at issue do not simply restrict religious expression; they restrict religious expression in an attempt to protect the public health during a global pandemic. As always, the Court looks to precedent in these unprecedented times.

To begin, the parties do not facially dispute that Danville Christian has a sincerely held religious belief in conducting in-person instruction. Nevertheless, the Governor argues that the fact Danville Christian halted in-person teaching earlier during the pandemic, when faced with an infected member of its community, seriously undermines the irreparable harm requirement of a preliminary injunction. By implication, this raises a challenge to the school's sincerity. In response, Danville Christian argued that the halt in holding in-person instruction was a voluntary short-term act taken out of deference to the community, and now that more is known about the virus and other measures can be taken to allow classes to resume safely, it would violate Danville Christian's First Amendment rights to force the school to hold virtual instead of in-person classes.

Exercising a judgment call to close for a short period of time when far less was known about the virus cannot now effectively counter its conviction. Danville Christian has presented evidence of the significance of in-person instruction, including the holding of weekly chapel services and corporate prayer throughout the day. [R. 1 at 19.] The Court is also cognizant of the role of daily in-person mentorship of religious values that occur in religious schools that is simply not as feasible in a virtual setting. In extending the ministerial exception to private school teachers in *Our Lady of Guadalupe School v. Morrissey-Berru*, the Supreme Court expressed that in the First Amendment context, faith and education go hand in hand. 140 S. Ct. 2049 (2020). "[E]ducating young people in their faith, inculcating its teachings, and training them to live their faith are responsibilities that lie at the very core of the mission of a private religious school." *Id.* at 2064. Therefore, insofar as it relates to the irreparable harm prong, the Court finds this to be sufficient to demonstrate Danville Christian's sincerely held belief.

Next, the Governor argues that this executive order “is neutral and of general applicability [and] need not be justified by a compelling interest.” *Church of Lukumi Babalu Aye v. City of Hialeah*, 508 U.S. 520, 531 (1993). The Governor makes this argument by pointing to the fact that the executive order applies to all schools, both public and private. [R. 24 at 13.] However, this argument is not consistent with Sixth Circuit precedent.

The Sixth Circuit addressed a challenge to Kentucky’s prohibition on gatherings for religious service earlier this year. *Maryville Baptist Church, Inc. v. Beshear*, 957 F.3d 610 (6th Cir. 2020). Maryville Baptist Church held a drive-in service on Easter Sunday. *Id.* at 611. But, pursuant to the prohibition on mass gatherings and executive order closing non-essential businesses, “Kentucky State Police arrived in the parking lot and issued notices to the congregants that their attendance at the drive-in service amounted to a criminal act.” *Id.* On appeal, the Sixth Circuit considered whether to stay the district court’s order denying Maryville Baptist Church’s motion to enjoin enforcement of these restrictions. *Id.* In its analysis, the Court observed that Maryville Baptist was likely to succeed on the merits of its claim because “[t]he way the orders treat comparable religious and non-religious activities suggests that they do not amount to the least restrictive way of regulating the churches.” *Id.* at 613.

Ultimately, the Sixth Circuit opted to enjoin enforcement of the orders only as they pertained to drive-in services. *Id.* at 616. While Maryville Baptist does not decide this case, it is indicative of what might come. Maryville Baptist Church was motivated by a sincerely held belief that Christians should have the ability to meet in person. Similarly, Danville Christian is motivated by a “sincerely held religious belief that it is called by God to have in-person religious and academic instruction for its students.” [R. 1 at 25.]

Further, although the Governor would like the Court to only compare schools in the context of the executive order and find the order to be one of general applicability, *Maryville* instructs otherwise. In answering the general applicability question in *Maryville*, the Sixth Circuit questioned why law firms, laundromats, liquor stores, and gun shops could stay open while churches, despite following CDC-approved guidelines, could not. 957 F.3d at 614. The restrictions which the Sixth Circuit criticized as “inexplicably applied to one group and exempted from another” are similar to those Danville Christian challenges today. This Court wonders why under this executive order, one would be free to attend a lecture, go to work, or attend a concert, but not attend socially distanced chapel in school or pray together in a classroom that is following strict safety procedures and social distancing. *Maryville Baptist Church, Inc.*, 957 F.3d at 614–16. Of even more significance, preschools in the state remain open after this executive order, as do colleges and universities. [R. 1 at 13; R. 1-4 at 4.] The prohibition on in-person teaching is not narrowly tailored as required by *Lukumi*. 508 U.S. at 531.

Also earlier this year, the Sixth Circuit granted plaintiffs motion for a preliminary injunction in a context very similar to the *Maryville* opinion. *Roberts v. Neace*, 958 F.3d 409 (6th Cir. 2020). In fact, the appeal was brought by three Maryville Baptist Church congregants who wished to attend church services in person later in the week. *Id.* at 411. The court in *Neace* found that “four pages of exceptions in the orders, and the kinds of group activities allowed, remove[d] [the executive orders] from the safe harbor for generally applicable laws” and required strict scrutiny analysis. *Id.* at 413, 415. Similarly, after the executive order goes into effect, preschools, colleges, and universities across the Commonwealth will remain open so long as they follow appropriate social distancing requirements. [R. 1 at 13; R. 1-4 at 4.] This

executive order permits other, similarly situated groups and institutions to continue meeting while providing a blanket ban on in-person instruction for K-12 schools.

There is ample scientific evidence that Covid-19 is exceptionally contagious. But evidence that the risk of contagion is heightened in a religious setting any more than a secular setting, or in K-12 schools as opposed to preschools, universities, or colleges, is lacking. Dr. Steven Stack, the Commissioner of the Kentucky Department of Health, stated that Kentucky is particularly vulnerable to the spread of Covid-19 in schools because “an unusually high percentage of Kentucky children are cared for by their grandparents and older individuals are at higher risk of severe illness or death from Covid-19. [R. 24-1 at 13.] He further stated, “[s]chools are high volume mixers of people” which can make reduction in the spread of Covid-19 difficult. *Id.* at 12. Of course, that is true of many public settings. In spite of these factors, preschools, colleges, and universities will remain open so long as certain precautions are taken. [R. 1 at 13; R. 1-4 at 4.] Neither Dr. Stack nor the Governor have adequately explained why K-12 schools must close while these other institutions, where many children and young adults who live at home may still expose family members to Covid-19, can remain open.

The Governor’s executive order also seems to run counter to CDC recommendations. On November 19, 2020, CDC Director Robert Redford stated, “[t]he truth is, for kids K-12, one of the safest places they can be, from our perspective, is to remain in school,” and that it is “counterproductive . . . from a public health point of view, just in containing the epidemic, if there was an emotional response, to say, ‘Let’s close the schools.’” [R. 1 at 3 citing Ryan Saavedra, “CDC Director: Schools Among ‘Safest Places’ Kids Can Be, Closing Schools An ‘Emotional Response’ Not Backed By Data,” *The Daily Wire*, Nov. 19, 2020,

<https://www.dailywire.com/news/cdc-director-schools-among-safest-places-kids-can-be closing-schools-an-emotional-response-not-backed-by-data.>]

If social distancing is good enough for offices, colleges, and universities within the Commonwealth, it is good enough for religious private K-12 schools that benefit from constitutional protection. Ultimately, “[t]he First Amendment protects the right of religious institutions ‘to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.’” *Our Lady of Guadalupe School v. Morrissey-Berru*, 140 S. Ct. 2049, 2055 (2020).⁴

3

Because the law is not neutral or generally applicable, it “must be justified by a compelling governmental interest and must be narrowly tailored to advance that interest.” *Lukumi*, 508 U.S. at 531–32. However, the Governor argues that given the Covid-19 pandemic, the Court should look to *Jacobson v. Massachusetts*, 197 U.S. 11, 30 (1905), to determine whether Danville Christian can show that the executive order (1) “has no real or substantial relationship to [the emergency]” or (2) “is, beyond all question, a plain, palpable invasion of rights secured by the fundamental law[.]” Though over a century old, *Jacobson* is arguably the case that most directly speaks to “the expanded scope of a state’s police power during times of public health crises[.]” *Adams & Boyle, P.C. v. Slatery*, 956 F.3d 913, 921–23 (6th Cir. 2020).

The *Jacobson* test gives states considerable leeway in enacting measures during public health emergencies. However, “even under *Jacobson*, constitutional rights still exist.” *On Fire*

⁴ Danville Christian’s third count alleges a violation of religious entities’ First Amendment right to religious autonomy. [R. 1 at 30.] Danville Christian argues that Governor Beshear “cannot tell religious institutions and churches that they *can* hold in-person worship services but *cannot* hold in-person schooling.” *Id.* This autonomy argument is part and parcel of Danville Christian’s Free Exercise argument, and therefore the Court will not address it separately.

Christian Ctr., Inc. v. Fischer, 453 F. Supp. 3d 901, 912–13 (W.D. Ky. 2020). And while courts should refrain from second-guessing the efficacy of a state’s chosen protective measures, “an acknowledged power of a local community to protect itself against an epidemic ... might go so far beyond what was reasonably required for the safety of the public, as to authorize or compel the courts to interfere[.]” *Jacobson*, 197 U.S. at 28. Even viewed through the state-friendly lens of *Jacobson*, the prohibition on in-class teaching for religious private schools operating in Kentucky is “beyond what was reasonably required for the safety of the public” and therefore, *Jacobson* does not require the Court to uphold Governor Beshear’s injunction. 197 U.S. at 28.

Furthermore, it is important to look at the context of the *Jacobson* opinion in determining its relevance to Governor Beshear’s executive order. “*Jacobson* primarily involved a substantive due process challenge to a local ordinance requiring residents to be vaccinated for small pox.” *Calvary Chapel Dayton Valley v. Sisolak*, 140 S. Ct. 2603, 2608 (2020) (Alito, J. dissenting). The Court is skeptical that *Jacobson*, which was written in the context of a substantive due process challenge, has the same force in the context of a statewide executive order that is being challenged under the enumerated rights of the First Amendment. *Id.*

The Governor also looks to Justice Roberts’ concurring opinion in *South Bay United Pentecostal Church v. Newsom*, 140 S. Ct. 1613 (Mem.) (2020). As this Court explained in *Ramsek v. Beshear*, 468 F. Supp. 3d 904 (E.D. Ky. 2020), there are two reasons as to why Justice Roberts’ concurring opinion in *South Bay*, while informative, is not dispositive in this case. First, Justice Roberts analyzed a different executive order as it concerned a separate First Amendment right in a distinct factual circumstance. Second, and perhaps most importantly, the Court finds significant the procedural context in which the Supreme Court acted. On review, a denial of injunctive relief pending appeal by the Supreme Court is similar in many ways to a

denial of a writ of certiorari. *See, e.g., Teague v. Lane*, 489 U.S. 288, 296 (1989); *see also Janklow v. Planned Parenthood, Sioux Falls Clinic*, 517 U.S. 1174, 1181 (1996) (Scalia, J. dissenting). Like a denial of writ of certiorari, a variety of considerations underlie a denial of injunctive relief—considerations beyond simply the merits of the case. *See, e.g., Janklow*, 517 U.S. at 1181 (Scalia, J. dissenting) (describing such decisions as “discretionary (and unexplained) denials”); *Brown v. Gilmore*, 533 U.S. 1301 (2001) (Rehnquist, C.J.).

The legal principles applied by the Supreme Court in this context lead naturally to a conclusion that, like opinions accompanying the denial of certiorari, opinions accompanying the denial of injunctive relief pending appeal “cannot have the same effect as decisions on the merits.” *Teague*, 489 U.S. at 296; *see also Janklow*, 517 U.S. at 1181 (Scalia, J. dissenting) (explaining the impropriety of lower courts possibly giving authoritative effect to a two-Justice opinion concurring in a denial of an injunctive relief pending appeal).

Notwithstanding the above considerations, certain lower courts have accorded significant weight to Justice Roberts’ concurring opinion, without any extended analysis of the precedential considerations laid out above. *See, e.g., Calvary Chapel Lone Mountain v. Sisolak*, 466 F. Supp. 3d 1120 (D. Nev. 2020). At the very least, if the concurring opinion is to be accorded weight, then the fact that no other Justices joined the opinion must be acknowledged and considered. In *Marks v. United States*, the Supreme Court explained that “[w]hen a fragmented Court decides a case and no single rationale explaining the result enjoys the assent of the five justices, the holding of the Court may be viewed as that position taken by those Members who concurred in the judgments on the narrowest grounds.” 430 U.S. 188, 193 (1977). Logically, where a concurring opinion accompanies a decision in which the court did not fully address the merits, like here, the opinion cannot be said to carry *more* weight than an opinion accompanying a

decision on the merits. At the very most, the grounds set forth by Justice Roberts in support of his decision to deny injunctive relief in *South Bay* should be interpreted as narrowly as possible. *Id.* at 193.

So, what was the basis for Justice Roberts' decision? The Governor looks to *South Bay* as an opinion from which this Court should "take [its] cue." [R. 24 at 9.] True, in analyzing the California restrictions, Justice Roberts found they "appear[ed] consistent with the Free Exercise Clause of the First Amendment." *Id.* And, he further explained that a state has broad latitude in restricting social activities in times of emergency which "should be subject to second-guessing" only where those broad limits are exceeded. *Id.* But Justice Roberts' analysis must be viewed in light of the standard applied.

As Justice Roberts noted, the standard for the Supreme Court to grant an injunction pending appeal is a high bar: "This power is used where 'the legal rights at issue are indisputably clear'" *South Bay*, 140 S. Ct. 1613 (citation omitted). This is so because, as noted above, "unlike a stay, an injunction 'does not simply suspend judicial alteration of the status quo but grants judicial intervention that has been withheld by lower courts.'" *Respect Maine PAC*, 562 U.S. 996 (cleaned up). So, applying these principles, Justice Roberts denied relief, concluding that "[t]he notion that it is 'indisputably clear' that the [California] limitations are unconstitutional seems improbable." *Id.* at 1614.

The Court declines to accord too broad of a precedential effect to Justice Roberts' concurrence in *South Bay*. A narrow reading is required and simply leads to the conclusion that Justice Roberts found that it was not "indisputably clear" that the California law restricting in-person religious services violated the Free Exercise Clause. While informative, this conclusion does not create precedent which counsels the same result under the facts of this case.

The Governor also points to a recent Sixth Circuit opinion affirming the denial of a preliminary injunction for a private Christian school in Michigan. *Libertas Classical Assn v. Gretchen Whitmer, et al.*, No. 20-2085 (6th Cir., Nov. 20, 2020). However, *Libertas* is distinguishable from Danville Christian for several reasons. First, the district court refused to grant the injunction in *Libertas* because there was an unsettled question of state law and the court wanted that issue to be resolved before issuing an injunction. *Id.* Second, in *Libertas*, the school subsequently closed voluntarily, thus belying any claims to “irreparable harm . . . during the pendency of the appeal. *Id.* (citing *Overstreet v. Lexington-Fayette Urban Cnty. Gov’t*, 305 F.3d 566, 572 (6th Cir. 2002)). Therefore, the *Libertas* opinions does not present a challenge to Danville Christian’s claim.

Ultimately, under the Free Exercise Clause, “restrictions on religious exercise that are not ‘neutral and of general applicability’ must survive strict scrutiny.” *Calvary Chapel Dayton Valley*, 140 S. Ct. at 2605 (Alito, J. dissenting). Although the efforts by Governor Beshear to prevent the spread of Covid-19 are commendable, the Executive Order bans all in-person instruction for K-12 schools, and this cannot be considered to be narrow tailoring as required under strict scrutiny.

4

Danville Christian has established a likelihood of success on the merits with respect to their free exercise claim, and the Court will grant a preliminary injunction on that basis. The likelihood of success on the merits is largely determinative in constitutional challenges like this one, however, the remaining factors also mitigate in favor of Danville Christian. As already explained, Danville Christian’s injury is irreparable. *See Elrod*, 427 U.S. at 373, 96 S. Ct. 2673. To stay the prohibition on mass gatherings with respect to religious services which observe the

social distancing guidelines promulgated by the Center for Disease Control, as Danville Christian has promised to do, does not harm the Governor. Finally, the public interest favors the enjoinder of a constitutional violation. *See Martin-Marietta Corp. v. Bendix Corp.*, 690 F.2d 558, 568 (6th Cir. 1982).⁵

B

In its motion, Danville Christian also asserts that Executive Order 2020-969 violates the Establishment Clause of the First Amendment and asks this Court to enjoin Governor Beshear from enforcing the Order against religious private schools. [R. 3 at 25; *see* R. 1 at 34.] Specifically, Danville Christian argues that the Order favors religious organizations that offer in-person worship over religious organizations that offer in-person schooling, in violation of the Establishment Clause. *Id.*

The First Amendment to the United States Constitution, as applied to the states through the Fourteenth Amendment, *see Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940), provides that “Congress shall make no law respecting an establishment of religion. . . .” U.S. Const. amend. 1. This right guarantees, “at a minimum . . . [that the government may not] act in a way which ‘establishes a [state] religion or religious faith, or tends to do so.’” *Lee v. Weisman*, 505 U.S. 577, 577–78 (1992) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 678 (1984)); *Everson v. Board of Ed. of Ewing*, 330 U.S. 1, 15–16 (1947). On the other hand, however, “the Establishment Clause does not compel the government to purge from the public sphere all that in

⁵ Although Danville Christian also alleges violations of Section 1 and 5 of the Kentucky Constitution, this Court need not analyze these claims because those Sections provide the same protections found within the United States Constitution. *See Michigan C.R. Co. v. Powers*, 201 U.S. 245, 290 (1906) (“Undoubtedly, a Federal court has the jurisdiction, and when the question is properly presented it may often become its duty to pass upon an alleged conflict between a statute and the state constitution, even before the question has been considered by state tribunals. All objections to the validity of the act, whether springing out of the state or of the Federal Constitution, may be presented in a single suit and call for consideration and determination.”). Thus, notwithstanding the Governor’s sovereign immunity argument, this Court’s decision on the federal constitutional claims defuses the merits of the claim for relief under the Kentucky Constitution.

any way partakes of the religious.” *Van Orden v. Perry*, 545 U.S. 677, 699 (2005) (Breyer, S.B., concurring).⁶

The so-called *Lemon* test is “[t]he long-standing (but not always applied) test for determining whether government action violates the Establishment Clause.” *Am. Civil Liberties Union of Kentucky v. Grayson Cty., Ky.*, 591 F.3d 837, 844 (6th Cir.2010). The *Lemon* test has been often criticized, and is not consistently used or applied by the Supreme Court. *See Utah Highway Patrol Ass’n v. Am. Atheists, Inc.*, 565 U.S. 994 (2011) (Mem.). However, it has not been officially overruled, and the Sixth Circuit has stated that it is still the proper test for analyzing claims involving the Establishment Clause. *See Satawa v. Macomb Cty. Rd. Comm’n*, 689 F.3d 506, 526 (6th Cir. 2012) (“Although it has lost some of its luster, the test from *Lemon*, as refined by later Supreme Court opinions, guides our Establishment Clause analysis.”) (internal citations omitted).

In applying that test, courts generally uphold government action as long as the action or statute 1) has a “secular legislative purpose”; 2) “its principal or primary effect must be one that neither advances nor inhibits religion”; and 3) it does “not foster an excessive government entanglement with religion.” *Am. Civil Liberties Union of Kentucky*, 591 F.3d at 844; *Lemon v. Kurtzman*, 403 U.S. 602 (1971); *see also Satawa*, 689 F.3d at 526 (clarifying the use of the *Lemon* test in the Sixth Circuit). “If we cannot answer “yes” to the first question and “no” to the second two, the challenged action violates the Establishment Clause.” *Satawa*, 689 F.3d at 526.

⁶ For a detailed exposition of the historical foundation of the Establishment Clause and the evolving jurisprudence regarding its application, see this Court’s opinion in *Ark Encounter, LLC v. Parkinson*, 152 F. Supp. 3d 880 (E.D. Ky. 2016).

The Governor’s Order is likely to pass this test. The Order has the secular purpose of slowing the spread of COVID-19; it has the primary effect of limiting school gatherings—both secular and religious; and Danville Christian develops no substantive argument that Governor Beshear’s Order fosters government entanglement with religion. Consequently, the Court concludes that Danville Christian is unlikely to succeed on its Establishment Clause claim.

The Court notes that a *Lemon* test analysis may not really be the best fit in this case. Dissenting in *Calvary Chapel Dayton Valley v. Sisolak*, Justice Kavanaugh outlined four categories of law that commonly arise in religion cases, including “laws that expressly treat religious organizations equally to some secular organizations but better or worse than other secular organizations.” 140 S. Ct. 2603, 2610 (2020) (Mem). Justice Kavanaugh argued that Supreme Court jurisprudence supported the notion that “the legislature may place religious organizations in the favored exempt category rather than in the disfavored or non-exempt category without causing an Establishment Clause problem. *Id.* (citing *Walz v. Tax Comm’n of City of New York*, 397 U.S. 664 (1970) (opinion of Harlan, J.), *Texas Monthly, Inc. v. Bullock*, 489 U.S. 1, 14 (1989) (plurality opinion), and *Concerned Citizens of Carderock v. Hubbard*, 84 F. Supp .2d 668 (Md. 2000)). Accepting the logic of Kavanaugh’s dissent, the legislature may also place religious organizations in the dis-favored or non-exempt category without causing an Establishment Clause problem. However, this Court need not test Justice Kavanaugh’s conclusions in this case, as Danville Christian is unlikely to succeed on its Establishment Clause claim.

C

Next, the Court turns to Danville Christian’s argument that Governor Beshear’s school-closure order violates Kentucky’s Religious Freedom Restoration Act (“RFRA”). [R. 3 at 27.]

Kentucky’s RFRA statute forbids the State from “substantially burden[ing] a person’s freedom of religion . . . unless the government proves by clear and convincing evidence that it has a compelling governmental interest. . . .” Ky. Rev. Stat. 446.350. The statute defines a “burden” to “include indirect burdens such as withholding benefits, assessing penalties, or an exclusion from programs or access to facilities.” *Id.* If a burden is imposed, the government “must show that it lacks other means of achieving its desired goal without imposing a substantial burden on the exercise of religion by the objecting parties in these cases.” *On Fire Christian Ctr.*, 453 F. Supp. 3d at 913 (citing *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 727 (2014)).

Here, Danville Christian argues that a burden is imposed on them because “[t]here is no question that the Governor’s executive order bars ‘access’ to religious facilities—the Governor, after all, has ordered that no children may attend in-person instruction.” [R. 3 at 27.]

Additionally, Danville Christian points out that the Governor’s administration has “threatened to revoke the certifications for school employees that do ‘not follow the Governor’s order.’” *Id.* at 28. Danville Christian argues that the Governor cannot provide by clear and convincing evidence that it has a compelling interest in this case and that it has used the least restrictive means to further that interest. *Id.* In defense, the Governor presents an array of arguments. However, the Court need not analyze each argument because Danville Christian’s state RFRA claim is clearly barred by sovereign immunity. The Eleventh Amendment to the United States Constitution bars suits against the state. *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89, 97-98 (1984). Furthermore, state officials in their official capacities are “arms of the state” and are entitled to assert the State’s sovereign immunity on their own behalf. *See Ernst v. Rising*, 427 F.3d 351 (6th Cir. 2005).

Although the Supreme Court has established three exceptions to a state’s sovereign immunity, including suits against state officials for injunctive relief challenging the constitutionality of the official’s action, suits to which states consent, and suits invoking Congressional statutes pursuant to the Fourteenth Amendment, each exception is inapplicable in this case. *See Ex Parte Young*, 209 U.S. 123 (1908); *see Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89, 98 (1984; *see Bd. of Tr. of Univ. of Ala. v. Garrett*, 531 U.S. 356, 364 (2001). First, Danville Christian’s claim is not invoking a Congressional statute pursuant to the Fourteenth Amendment, nor has the Governor consented to this suit. [R. 24 at 24.] Regarding the third exception, Governor Beshear cannot be sued in his official capacity in federal court to enforce state law. The Sixth Circuit explains that “because the purposes of *Ex parte Young* do not apply to [lawsuits] designed to bring a State into compliance with state law, the States’ constitutional immunity from suit prohibits all state-law claims filed against a State in federal court, whether those claims are monetary or injunctive in nature.” *Ernst*, 427 F.3d at 368 (citing *Pennhurst*, 465 U.S. at 106). This conclusion applies even if supplemental jurisdiction otherwise exists. *McNeilus Truck & Mfg., Inc. v. Ohio ex rel. Montgomery*, 226 F.3d 429, 438 (6th Cir. 2000). Thus, because Danville Christian’s RFRA claim is solely based on state law and no exception to the Governor’s sovereign immunity is applicable, the claim must fail.⁷

D

As a final matter, the Court considers the scope of the preliminary injunction. The Attorney General urges the Court to apply its injunction statewide rather than limiting its application to Danville Christian. [R. 3 at 31–32.] In *Califano v. Yamasake*, the Supreme Court pointed out that one of the “principles of equity jurisprudence” is that “the scope of injunctive

⁷ Although the Sixth Circuit in *Maryville* fully analyzed the RFRA claim brought there, the Sixth Circuit indicated that it did so because no sovereign immunity defense had been brought on behalf of the State. 957 F.3d at 613–14.

relief is dictated by the extent of the violation established, not by the geographical extent of the plaintiff class.” *Rodgers v. Bryant*, 942 F.3d 451 (quoting *Califano v. Yamasake*, 442 U.S. 682 (1979)); *see also Trump v. Int’l Refugee Assist. Project*, 137 S. Ct. 2080, 2087 (2017) (per curiam) (“Crafting a preliminary injunction is an exercise of discretion and judgment, often dependent as much on the equities of a given case as the substance of the legal issues it presents.”); *De Beers Consol. Mines Ltd. v. United States*, 325 U.S. 212, 220, 65 S. Ct. (1945) (“A preliminary injunction is always appropriate to grant intermediate relief of the same character as that which may be granted finally.”).

Furthermore, the Supreme Court of Kentucky has indicated that the Attorney General has an obligation to serve all members of the Commonwealth. This obligation includes suing government actors on members’ behalf to protect constitutional rights. *See Commonwealth ex rel. Andy Beshear v. Matthew Bevin*, 498 S.W.3d 355, 363 (Ky. 2016) (quoting *Hancock v. Terry Elkhorn Mining Co.*, 503 S.W.2d 710, 715 (Ky. 1974) (“the source of authority of the Attorney General is the people who establish the government, and his primary obligation is to the people . . . The Attorney General, as chief law office of this Commonwealth, is charged with the duty of protecting the interest of all the people. . .”)). In the present case, the Executive Order at issue does not just affect Danville Christian. The Executive Order applies to all religious schools in Kentucky. Upon consideration of both judicial precedent and the expansive obligation of the Attorney General to serve all members of the Commonwealth, it becomes apparent that, because the violation established impacts all religious schools in Kentucky, the preliminary injunction must extend statewide.

III

Tomorrow is a day when we as a nation will pause and reflect and each in our own way express gratitude. It comes when we are tired but hopeful. The precedent for America's national day of Thanksgiving is found in the words of Secretary of State William H. Seward as proclaimed by President Lincoln. That, too, was a time when the nation was tired but hopeful. And at that challenging moment in our history, "in the midst of a civil war of unequalled magnitude and severity...the laws [were] respected..."⁸ And the Court's ruling today demands no less.

Accordingly, and the Court being otherwise sufficiently advised, it is **ORDERED** as follows:

1. The Emergency Motion for Temporary Restraining Order [**R. 3**], which the Court will treat as a preliminary injunction, is **GRANTED**;
2. The Governor is **ENJOINED** from enforcing the prohibition on in-person instruction with respect to any religious private school in Kentucky that adheres to applicable social distancing and hygiene guidelines; and
3. Given the Notice of Withdrawal submitted on November 24, 2020, parties' Motion to Intervene [**R. 12**] and Emergency Motion for Temporary Restraining Order [**R. 15**] are **DENIED AS MOOT**.

This the 25th day of November, 2020.

⁸ Abraham Lincoln, Proclamation of Thanksgiving (Oct. 3, 1863).

The image shows a handwritten signature in black ink, which appears to read "Gregory F. Van Tatenhove". The signature is written over a circular official seal. The seal features an eagle with spread wings in the center, surrounded by the text "UNITED STATES DISTRICT COURT" at the top and "EASTERN DISTRICT OF KENTUCKY" at the bottom.

Gregory F. Van Tatenhove
United States District Judge

Appendix C
(District Court Docket No. 1)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT FRANKFORT
Electronically filed

**DANVILLE CHRISTIAN
ACADEMY, INC.**

and

**COMMONWEALTH OF
KENTUCKY**, *ex rel.* Attorney General
Daniel Cameron

Plaintiffs

v.

Civil Action No. _____

ANDREW BESHEAR, in his official
capacity as the Governor of the
Commonwealth of Kentucky,

Defendant

VERIFIED COMPLAINT

“[E]ducating young people in their faith, inculcating its teachings, and training them to live their faith are responsibilities that lie at the very core of the mission of a private religious school.”

- Our Lady of Guadalupe School v. Morrissey-Berru, 140 S. Ct. 2049, 2064 (2020)

Religious education and religious worship go hand-in-glove. Indeed, “[r]eligious education is vital to many faiths practiced in the United States.” *Id.* For example, “[i]n the Catholic tradition, religious education is ‘intimately bound up with the whole of the Church’s life.’” *Id.* at 2065 (quoting Catechism of the Catholic Church 8 (2d ed. 2016)). And, “Protestant churches, from the earliest settlements in this

country, viewed education as a religious obligation.” *Id.* “The contemporary American Jewish community continues to place the education of children in its faith and rites at the center of its communal efforts.” *Id.* In Islam, the importance of education “is traced to the Prophet Muhammad, who proclaimed that ‘[t]he pursuit of knowledge is incumbent on every Muslim.’” *Id.* “The Church of Jesus Christ of Latter-day Saints has a long tradition of religious education,” and Seventh-day Adventists “trace the importance of education back to the Garden of Eden.” *Id.* at 2066. In short, religious education is so central to religious exercise that to burden the former is to burden the latter.

The absence of government-imposed burdens on religious exercise is one of the foundations of the American Republic. “Since the founding of this nation, religious groups have been able to ‘sit in safety under [their] own vine and figtree, [with] none to make [them] afraid.’” *Tree of Life Christian Schools v. City of Upper Arlington*, 905 F.3d 357, 376 (6th Cir. 2018) (Thapar, J., dissenting) (quoting Letter from George Washington to Hebrew Congregation in Newport, R.I. (Aug. 18, 1790)). This is the promise of America. It is one of the Nation’s “most audacious guarantees.” *On Fire Christian Ctr., Inc. v. Fischer*, 453 F. Supp. 3d 901, 906 (W.D. Ky. 2020).

But this audacious guarantee has been threatened repeatedly this year by Governor Andrew Beshear. Just before Easter, he purported to outlaw religious services in the Commonwealth by executive order, and then he sent Kentucky State Police troopers to record the license plate numbers of churchgoers. The Sixth Circuit halted his discriminatory actions not once, but *twice*. See generally *Roberts v. Neace*,

958 F.3d 409 (6th. Cir. 2020) (per curiam); *Maryville Baptist Church, Inc. v. Beshear*, 957 F.3d 610 (6th Cir. 2020) (per curiam). This Court did as well. *See generally* *Tabernacle Baptist Church, Inc. v. Beshear*, 459 F. Supp. 3d 847 (E.D. Ky. 2020).

On Wednesday, November 18, 2020, Governor Beshear issued Executive Order (“EO”) 2020-969, which prohibits all public and private schools from meeting in-person for the next several weeks.¹ The order contains no accommodations for religious education, despite such education being recognized by the Supreme Court as a “vital” part of many faiths. *See Our Lady of Guadalupe*, 140 S. Ct. at 2064. And, like the Governor’s previously enjoined orders, the latest order burdens religious institutions while arbitrarily allowing other gatherings that pose similar health risks to continue.

Regardless of how well-intentioned the Governor might be, his actions violate the federal and state constitutions and Kentucky’s Religious Freedom Restoration Act. His actions also infringe on the autonomy of religious institutions and violate the Constitution’s Establishment Clause.

¹ The next day, the Director of the Centers for Disease control announced, “We should be making data driven decisions when we are talking about what we should be doing for institutions or what we should be doing for commercial closures. For example, as we mentioned, last spring CDC did not recommend school closures nor did we recommend their closures today. . . . K through 12 schools can operate with face to face learning and they can do it safely and they can do it responsibly.” *See* “CDC Director Redfield Says It Does Not Recommend Closing Schools, Covid Acquired ‘In The Household’” (Nov. 19, 2020) available at <https://www.youtube.com/watch?v=sxKhJaQEkY> (last visited Nov. 20, 2020). He further stated “[t]he truth is, for kids K-12, one of the safest places they can be, from our perspective, is to remain in school,” and that it is “counterproductive . . . from a public health point of view, just in containing the epidemic, if there was an emotional response, to say, ‘Let’s close the schools.’” Ryan Saavedra, *CDC Director: Schools Among ‘Safest Places’ Kids Can Be, Closing Schools An ‘Emotional Response’ Not Backed By Data*, The Daily Wire, November 19, 2020, <https://www.dailywire.com/news/cdc-director-schools-among-safest-places-kids-can-be-closing-schools-an-emotional-response-not-backed-by-data>.

Among the schools impacted by the Governor’s actions is Danville Christian Academy (“Danville Christian”), which practices its faith in Boyle County, Kentucky. Danville Christian’s founders created the school to mold Christ-like scholars, leaders, and servants who will advance the Kingdom of God. To that end, Danville Christian provides students with a Christ-centered environment along with academic excellence so they may grow spiritually, academically, and socially. And Danville Christian accomplishes this religious calling by educating students with a Christian worldview in a communal in-person environment.

For these reasons, the Plaintiffs bring this suit against the Governor, and for their Complaint for declaratory and injunctive relief state as follows:

PARTIES

1. Daniel Cameron is the duly elected Attorney General of the Commonwealth of Kentucky. As such, he is the lawyer for the people of Kentucky. Ky. Rev. Stat. (“KRS”) 15.020; *Commonwealth ex rel. Beshear v. Commonwealth ex rel. Bevin*, 498 S.W.3d 355, 362 (Ky. 2016).

2. Attorney General Cameron brings this suit on behalf of the Commonwealth of Kentucky. As the chief law officer of the Commonwealth, Attorney General Cameron can challenge the “authority for and constitutionality of the Governor’s actions.” *Commonwealth ex rel. Beshear*, 498 S.W.3d at 363.

3. Plaintiff Danville Christian Academy, Inc. is a Christian school and a religious nonprofit corporation, the principal office of which is located at 2170 Shakertown Road, Danville, Boyle County, Kentucky 40422.

4. Defendant Andrew Beshear is the Governor of Kentucky. Governor Beshear is the “Chief Magistrate” of the Commonwealth, Ky. Const. § 69, charged with “tak[ing] care that the laws be faithfully executed,” Ky. Const. § 81.

JURISDICTION AND VENUE

5. The Court has subject-matter jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1367 because the Commonwealth, through Attorney General Cameron, and Danville Christian Academy, Inc., assert claims against Governor Beshear arising under the Constitution of the United States, as well as claims under Kentucky law over which this Court has supplemental jurisdiction. This declaratory judgment action is further authorized by 28 U.S.C. §§ 2201 and 2202.

6. The Court has personal jurisdiction over Governor Beshear because he resides in Kentucky, holds office in Franklin County, Kentucky, and engaged in the acts giving rise to this complaint in Franklin County, Kentucky.

7. This Court is the proper venue under 28 U.S.C. § 1391 because a “substantial part of the events . . . giving rise to the claim[s] occurred” in this district.

8. Under Local Rule 3.2(a)(2)(A), the Central Division of the Eastern District of Kentucky at Frankfort is the proper division for this action because a substantial part of the events giving rise to this action occurred in Franklin County, Kentucky, where Governor Beshear issued the orders at the heart of this suit.

FACTUAL BACKGROUND

The COVID-19 outbreak

9. Since the initial outbreak, coronavirus has spread through the United States, with each state experiencing varying rates of infection and hospitalization.

North Dakota, for example, leads the nation with an overall infection rate of 9,027 cases per 100,000 population since the beginning of the outbreak.² Vermont has the lowest rate at 505 per 100,000 population.³ And Kentucky is roughly in the middle with a rate of 3,240 per 100,000.⁴

10. States have also experienced varying survival rates resulting from COVID-19. New Jersey's survival rate is the lowest at 99.81%, and Vermont's is the highest at 99.99%.⁵ Kentucky's survival rate of 99.96% is just below West Virginia's rate of 99.97%, and just above Tennessee's rate of 99.94%.⁶

11. States have also pursued varying policies in dealing with COVID-19, with some being more aggressive than others.

12. On March 6, 2020, Governor Beshear declared a State of Emergency and activated his emergency authority under KRS Chapter 39A.

13. Over the next several weeks, Governor Beshear issued a series of executive orders implementing a growing set of restrictions and purporting to suspend laws where he saw fit.

14. Before and after Governor Beshear declared a State of Emergency, many religious organizations took voluntary measures to prevent the spread of coronavirus and practice social distancing.

² See CDC COVID Data Tracker, available at https://covid.cdc.gov/covid-data-tracker/#cases_casesper100k (last accessed November 20, 2020).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

Governor Beshear's initial infringements on religious liberty

15. On March 19, 2020, Governor Beshear took his first step to outright ban religious gatherings across the state. Purportedly acting through Secretary Eric Friedlander, of the Cabinet for Health and Family Services, the Beshear administration issued an order stating that “[a]ll mass gatherings are hereby prohibited.”

16. In the March 19th order, the Beshear administration vaguely described the scope of the order as including “any event or convening that brings together groups of individuals, including, but not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities.”

17. Thus, the order specifically banned “faith-based” gatherings by name.

18. The ban was a broad one, not simply aimed at narrowly banning large gatherings. It did not define mass gatherings based on the number of people coming together, nor did it limit the prohibition to the kind of indoor or closed-space gatherings that increase the risk of community transmission of the virus. Rather, Governor Beshear’s March 19 Order broadly banned any activity “that brings together groups of individuals,” which specifically included “faith-based” gatherings.

19. However, the March 19 Order did not apply equally without exception. In fact, the order specifically exempted two kinds of activities from the prohibition.

20. First, the order stated that “a mass gathering does not include normal operations at airports, bus and train stations, medical facilities, libraries, shopping

malls and centers, or other spaces where persons may be in transit.” Religious organizations were not included within that exemption.

21. Second, the order stated that a mass gathering “does not include typical office environments, factories, or retail or grocery stores where large numbers of people are present, but maintain appropriate social distancing.” Like the first group of exemptions, religious organizations were not included.

22. Thus, under the March 19 Order, faith-based activities were expressly singled out for prohibition, while secular organizations and activities received exemptions—even when gatherings at those secular activities include large numbers of people.

23. Six days after prohibiting the vaguely-defined-but-broadly-applicable “mass gatherings,” on March 25, Governor Beshear issued an executive order closing all organizations that are not “life sustaining.” *See* Executive Order 2020-257.⁷

24. “Life sustaining” was defined in the order as any organization “that allow[s] Kentuckians to remain Healthy at Home.” *Id.* The order also included nineteen different categories of business that are “life sustaining” and therefore were free to remain open. *Id.*

25. Among the exceptions for “life sustaining” activity was “Media,” which the order defined as, “Newspapers, television, radio, and other media services.” *Id.* The order also allowed organizations like law firms to continue operating under the

⁷ Executive Order 2020-257 (March 25, 2020), available at https://governor.ky.gov/attachments/20200325_Executive-Order_2020-257_Healthy-at-Home.pdf (last visited Nov. 20, 2020).

category of “Professional services,” which includes “legal services, accounting services, insurance services, real estate services (including appraisal and title services).” *Id.*

26. Governor Beshear’s order did not consider religious organizations to be “life sustaining.”

27. The order did not permit religious organizations to continue providing spiritual nourishment in any way that would constitute a “mass gathering” as might be sincerely required by their members according to the tenets of their faith.

Governor Beshear specifically targets religious activity

28. On Good Friday, two days before Easter Sunday, Governor Beshear held his daily press conference. During his presentation, Governor Beshear announced that his administration would be taking down the license plate numbers of any person attending an in-person church service on Easter Sunday.⁸ Then, he said, local health officials would be contacting each person and requiring a mandatory 14-day quarantine. Under Kentucky law, violation of such an order is a misdemeanor punishable by criminal prosecution. *See* KRS 39A.990.

29. So, even though countless Kentuckians were permitted to gather in offices, big box stores, bus stations, and grocery stores in communities with high numbers of infected individuals, residents of counties like Bell—where there were no diagnosed cases of COVID-19 at the time—were not permitted to attend church.

⁸ Alex Acquisto, Kentucky COVID-19 cases up by 242. Total is 1,693. State to quarantine churchgoers. *Lexington Herald Leader*, updated Apr. 10, 2020, available at <https://www.kentucky.com/news/coronavirus/article241923521.html> (last visited Nov. 20, 2020)

30. On Easter Sunday, Governor Beshear followed through with his threat. Kentucky State Police troopers, acting on Governor Beshear's orders, traveled to the Maryville Baptist Church to record license plate numbers of those attending the church's Easter service. The troopers also provided churchgoers with written notices that their attendance at the service constituted a criminal act. Afterward, the vehicle owners received letters ordering them to self-quarantine for 14 days or else be subject to further sanction.

The Sixth Circuit rules against Governor Beshear twice.

31. On Saturday, May 2, 2020, the Sixth Circuit enjoined Governor Beshear from prohibiting drive-in church services so long as the churches adhered to the same public health requirements mandated for "life-sustaining" entities. *See Maryville Baptist Church v. Beshear*, 957 F.3d 610, 616 (6th Cir. 2020) (per curiam).

32. In reaching that conclusion, the Sixth Circuit observed that "[t]he Governor's orders have several potential hallmarks of discrimination." *Id.* at 614. For example, the orders prohibited faith-based mass gatherings by name. *Id.* And they contained broad exceptions that inexplicably allowed some groups to gather while prohibiting faith-based groups from doing so. *See id.*

33. The court further noted that:

[R]estrictions inexplicably applied to one group and exempted from another do little to further these goals and do much to burden religious freedom. Assuming all of the same precautions are taken, why is it safe to wait in a car for a liquor store to open but dangerous to wait in a car to hear morning prayers? Why can someone safely walk down a grocery store aisle but not a pew? And why can someone safely interact with a brave deliverywoman but not with a stoic minister? The Commonwealth has no good answers.

Id. at 615.

34. The court concluded that there were much less burdensome means of combatting the COVID-19 outbreak than banning religious gatherings, noting that:

The Governor has offered no good reason so far for refusing to trust the congregants who promise to use care in worship in just the same way it trusts accountants, lawyers, and laundromat workers to do the same. Are they not often the same people, going to work on one day and attending worship on another? If any group fails, as assuredly some groups have failed in the past, the Governor is free to enforce the social-distancing rules against them for that reason.

Id. And the court also pointed out that “[i]f the problem is numbers, and risks that grow with greater numbers, then there is a straightforward remedy: limit the number of people who can attend a service at one time.” *Id.*

35. One week later, on Saturday, May 9, 2020, the Sixth Circuit again enjoined Governor Beshear. *See Roberts v. Neace*, 958 F.3d 409 (6th Cir. 2020) (per curiam).

36. Whereas the May 2 decision enjoined the Governor’s ability to stop drive-in church services, the May 9 decision went further and also enjoined his ability to prohibit in-person church services.

37. The court held that the Governor’s orders contained so many exceptions permitting non-religious gatherings that they effectively discriminated against religious exercise.

38. The court further held that the orders could not satisfy strict scrutiny:

There are plenty of less restrictive ways to address these public-health issues. Why not insist that the congregants adhere to social-distancing and other health requirements and leave it at that—just as the Governor has done for comparable secular activities? Or perhaps cap the number of congregants coming together at one time? If the

Commonwealth trusts its people to innovate around a crisis in their professional lives, surely it can trust the same people to do the same things in the exercise of their faith. The orders permit uninterrupted functioning of “typical office environments,” R. 1-4 at 1, which presumably includes business meetings. How are in-person meetings with social distancing any different from in-person church services with social distancing? Permitting one but not the other hardly counts as no-more-than-necessary lawmaking.

Sure, the Church might use Zoom services or the like, as so many places of worship have decided to do over the last two months. But who is to say that every member of the congregation has access to the necessary technology to make that work? Or to say that every member of the congregation must see it as an adequate substitute for what it means when “two or three gather in my Name,” Matthew 18:20, or what it means when “not forsaking the assembling of ourselves together,” Hebrews 10:25; *see also On Fire Christian Ctr., Inc. v. Fischer*, No. 3:20-CV-264-JRW, --- F. Supp. 3d ---, 2020 WL 1820249, at *7–8 (W.D. Ky. Apr. 11, 2020).

Id. at 415.

39. The court thus enjoined the Governor again, holding that “at this point and in this place, the unexplained breadth of the ban on religious services, together with its haven for numerous secular exceptions, cannot co-exist with a society that places religious freedom in a place of honor in the Bill of Rights: the First Amendment.” *Id.* at 416.

40. One day earlier, this Court granted a temporary restraining order stopping the Governor from restricting religious practices.

41. In *Tabernacle Baptist Church of Nicholasville, Inc. v. Beshear*, 459 F. Supp. 3d 847 (E.D. Ky. 2020), this Court concluded that “[e]ven viewed through the state-friendly lens of *Jacobson* [*v. Massachusetts*], the prohibition on religious services presently operating in the Commonwealth is ‘beyond what was reasonably required for the safety of the public.’” *Id.* at 854–55 (citation omitted).

Governor Beshear orders the closure of schools, including private religious schools

42. On November 18, 2020, Governor Beshear issued Executive Order 2020-969.⁹ A copy of that order is attached as **Exhibit 1**.

43. This order purports to:

- a. Close all in-person instruction at all public and private elementary, middle, and high schools in the Commonwealth as of November 23, 2020;
- b. Require all middle and high schools in the Commonwealth to remain closed at least until January 4, 2021;
- c. Only permit elementary schools to reopen for in-person instruction between December 7, 2020 and January 4, 2021 if the school is not located in a “Red Zone County” as provided by the Kentucky Department of Health, and the school follows all expectations in the Kentucky Department of Education Healthy at School Guidance on Safety Expectations and Best Practices for Kentucky Schools.

44. The order allows schools to provide small group in-person targeted services as provided in Kentucky Department of Education guidance. On information and belief, such services do not include in-person classroom instruction.

45. The order also does not shut down colleges, universities, or childcare centers.

⁹ Executive Order 2020-969 (November 18, 2020), available at https://governor.ky.gov/attachments/20201118_Executive-Order_2020-969_State-of-Emergency.pdf (last visited November 20, 2020).

46. On the same day that he issued Executive Order 2020-969, Governor Beshear also issued Executive Order 2020-968.¹⁰ A copy is attached as **Exhibit 2**.

47. Executive Order 2020-968 permits secular establishments like libraries, distilleries, fitness centers, and indoor recreation facilities to continue operating at limited capacity.

48. Executive Order 2020-968 also permits venues, event spaces, and theaters to continue operating with a maximum of 25 people per room.

49. Executive Order 2020-968 also permits office-based businesses to continue operating as long as no more than 33% of employees are physically present on any given day.

50. The day after Governor Beshear issued Executive Order 2020-969 purporting to close all in-person instruction at all public and private elementary, middle, and high schools in the Commonwealth as of November 23, the director of the Centers for Disease control announced “[t]he truth is, for kids K-12, one of the safest places they can be, from our perspective, is to remain in school,” and that it is “counterproductive . . . from a public health point of view, just in containing the epidemic, if there was an emotional response, to say, ‘Let’s close the schools.’”¹¹

¹⁰ Executive Order 2020-968 (November 18, 2020), available at https://governor.ky.gov/attachments/20201118_Executive-Order_2020-968_State-of-Emergency.pdf (last visited November 20, 2020).

¹¹ Ryan Saavedra, *CDC Director: Schools Among ‘Safest Places’ Kids Can Be, Closing Schools An ‘Emotional Response’ Not Backed By Data*, The Daily Wire, November 19, 2020, <https://www.dailywire.com/news/cdc-director-schools-among-safest-places-kids-can-be-closing-schools-an-emotional-response-not-backed-by-data>.

51. In response to questions from citizens about the applicability of Executive Order 2020-969 to religious schools, the Attorney General's Office reached out to the Governor's Office for clarification.

52. The Governor's General Counsel responded as follows in an email that is attached as **Exhibit 3**:

The order concerning schools applies to all public and private schools engaged in primary or secondary education (K-12), regardless of whether they are religiously affiliated. The order does not apply to other forms of instruction or places of worship. Accordingly, a place of worship that provides religious instruction as part of its services – for example, Sunday School or bible study – may do so.

I hope this answers your question.

53. Thus, houses of worship may continue to operate and may conduct Bible studies any day of the week in enclosed spaces. They may also hold Sunday school on their premises in enclosed locations. But the Governor refuses to allow religious schools to conduct nearly identical activities.

54. Moreover, shortly after Governor Beshear ordered religious schools to close their doors, Kentucky's top education official warned certified school personnel who violate the Governor's executive order of licensure consequences. Specifically, Kentucky's Commissioner of Education wrote that "[c]ertified school employees are bound by the Professional Code of Ethics and may be subject to disciplinary action by the Education Professional Standards Board (EPSB) for violation of the Professional Code of Ethics." A copy of this email is attached as **Exhibit 4**.

55. The EPSB is responsible for “issuing, renewing, suspending, and revoking Kentucky certificate certificates for professional school personnel.”¹²

Danville Christian Academy

56. Danville Christian is a Christian school and a religious nonprofit corporation the principal office of which is located at 2170 Shakertown Road, Danville, Kentucky 40422. It provides pre-K through 12th grade classes at its facilities. Its Headmaster is James S. Ward II.

57. In 1994, members of Calvary Baptist Church of Danville, Kentucky, formed a committee to study the idea of starting a Christian school in Danville, Kentucky. After two years of prayer and preparation, they created Danville Christian, which opened for operation on August 15, 1996, at Calvary Baptist Church.

58. As stated in Danville Christian’s Articles of Incorporation, attached to this Complaint as **Exhibit 7**, the purpose of Danville Christian is “to provide a creative, loving, academic environment for children to grow socially, emotionally, physically, academically, and spiritually through individual and group learning experiences under the guidance and nurture of carefully chosen Christian teachers, administrators, and under the Lordship of Jesus Christ. It shall be the purpose of the Danville Christian Academy to encourage all students to grow in a personal relationship with Jesus Christ and to emphasize the value of the eternal soul, the worth of the individual, the love of God for man, and the kinship of all peoples as

¹² <http://www.epsb.ky.gov/> (last visited Nov. 20, 2020).

taught in the Holy Scriptures, while providing students with the opportunity for achieving academic excellence.”

59. Danville Christian’s vision is to mold Christ-like scholars, leaders, and servants who will advance the Kingdom of God.

60. Danville Christian’s mission statement is to provide students with a Christ-centered environment along with academic excellence so they may grow spiritually, academically, and socially.

61. Danville Christian has adopted a Statement of Faith that expresses the school’s core religious beliefs, including its beliefs about God, the Bible, Jesus Christ, and the afterlife, among other things.

62. Danville Christian has also adopted what it terms Three Core Beliefs: that Christ is at the center of all that we do; that DCA students and staff are lifelong learners; and that DCA students and staff are ambassadors for Christ.

63. Danville Christian’s Board of Directors prays before its meetings. One of the Board’s standing committees is the Committee on Spiritual Life.

64. Danville Christian believes its responsibility is to inspire children to know and love God; that the purpose of a Christian education is to present students the truth about God’s relationship to them personally, to life, the world, and everything in it; that students must be shown that the Word of God is the authoritative source upon which to build a life that has both purpose and meaning; that the philosophy of Christian education calls for an educational process that puts the Bible at the center of all learning and asks the student and the teacher to evaluate

all they see in the world—through the eyes of God; that Jesus said, “I am the Way, the Truth, and the Life” (John 14:6); that in Christian education, students learn to use the Bible to evaluate all of life—including what they learn in the classroom.

65. Danville Christian’s educational philosophy is Kingdom Education, which focuses on bringing the home, church, and school into a partnership for the purpose of training the next generation. Kingdom Education is defined as the life-long, Bible-based, Christ-centered process of leading a child into a new identity with Christ, developing a child according to his/her specific abilities given to him by Christ, so that a child is empowered to live a life characterized by love, trust, and obedience to Christ.

66. Danville Christian requires its staff and administrators to affirm its Statement of Faith and have a saving relationship with Jesus Christ.

67. Danville Christian requires that at least one parent of each of its students have a saving relationship with Jesus Christ.

68. A key component of Danville Christian’s purpose and educational philosophy is its belief that its students should be educated with a Christian worldview in a communal, in-person environment.

69. Danville Christian would be unable to fulfill its religious purpose and mission—or implement its religious educational philosophy—and its religious beliefs would be substantially burdened, if it were prohibited from offering in-person, in-class instruction to its students.

70. All Danville Christian elementary, middle school, and high school students receive daily Bible classes each day of the school year. Danville Christian high school students are required to earn four credits of Bible courses in order to graduate. Danville Christian uses Biblically-based curriculum for many of its courses, and all Danville Christian teachers are required to incorporate Biblical worldview and instruction into all classes and subject matters taught.

71. All Danville Christian students attend one of two socially distanced chapel services every week provided in the gymnasium. Chapel services include religious instruction and preaching, corporate prayer, musical worship, communal recognition, and encouragement of individual students.

72. Danville Christian holds corporate prayer at the beginning of each school day as a school, followed by corporate prayer in each individual classroom. Individual classrooms hold corporate prayer before lunch. Danville Christian holds corporate prayer before school events, including athletic events.

73. Danville Christian's student activities include outreach and mercy ministries such as Operation Christmas Child and the Day of Giving, which provide evangelism and material goods to people in need.

74. Each year Danville Christian high school students are provided local, regional, and foreign mission opportunities.

75. Danville Christian's students range from three-year-old pre-school through 12th grade. The school day begins at 8:05 a.m. and ends at 3:15 p.m.

76. Danville Christian has a total of 234 students. Classroom sizes range from 4 students to 20 students, with most classes ranging from 12 to 17 students.

Danville Christian Academy's COVID-19 Reopening Plan

77. Prior to the beginning of the 2020-2021 school year, Danville Christian collaborated with local health officials and consultants—including three medical doctors, among others—to plan the reopening and operation of the school and the safe return of its students and staff during the COVID-19 pandemic.

78. Danville Christian's reopening and operational plan was submitted to and approved by the director of the Boyle County Health Department, who repeatedly has expressed his approval of the plan and has stated that Danville Christian is "doing it right."

79. Other schools have contacted and visited Danville Christian for help with their reopening and operational plans.

80. In accordance with its reopening and operational plan, on August 12, 2020, Danville Christian reopened with direct in-class instruction in which Danville Christian's teachers provide in person instruction to its students in its classrooms.

81. Attached to this Complaint as **Exhibit 5** is the "DCA Reopen FAQ," which was provided to Danville Christian students and families before the start of the school year. Much of Danville Christian's plan is explained in the DCA Reopen FAQ. Procedures mandated by Danville Christian's plan include, among other things:

- a. Except for pre-school students, students and staff must wear masks when entering, exiting, and moving about the building, such as during classroom changes.
- b. Each student receives a temperature check before entering the building. If a fever (100.4 degrees Fahrenheit) is detected, the individual is not allowed to enter the building and must be fever free for 72 hours and visit a doctor for re-admittance to the building.
- c. Immediately upon entering the building, each student and staff member enters one of two kiosks outfitted with a thermal camera and face recognition software to receive a second temperature check. If a mask has been removed an oral computerized command reminds the individual to re-mask. If a fever (100.4 degrees Fahrenheit) is detected an audible alarm is triggered and the individual is removed from the student population and is not allowed to remain at school, and must be fever free for 72 hours and visit a doctor for re-admittance to the building. The same protocol is applied if a fever is detected later in the school day.
- d. Only if sitting and socially distanced may students remove their masks, and then only if parental permission to do so has been provided.
- e. Student work areas in each classroom have been socially distanced. In areas where adequate social distancing is not possible, Danville

Christian installed large wood-framed plexiglass dividers to separate one student from another.

- f. Teachers wear masks or faceshields while instructing students and maintain social distancing.
- g. Before leaving a classroom, Danville Christian requires all students to wipe down their desk or work area with a disinfectant spray reported to be effective against the novel coronavirus.
- h. Students may access their lockers only at designated times during the day, separated by grade level, and provided that masks and social distance are maintained.
- i. Danville Christian moved lunch service to assigned-seat cubicles in the gymnasium to provide better social distancing. These cubicles are divided by wood-framed plexiglass dividers to separate one student from another.
- j. All students are required to follow a set schedule of multiple hand washings throughout the school day.
- k. Eight hand sanitizing stations have been installed in the building and gymnasium.
- l. All water fountains are closed. Bottled water is provided by Danville Christian. Danville Christian has ordered and is awaiting delivery of retro-fitted touchless water stations designed to refill water bottles.

m. In addition to the normal night custodians, Danville Christian hired a day-time custodian for an additional four hours of cleaning per day to clean all bathrooms during the school day and to help clean the lunch area.

n. Personalized virtual classroom options are provided for students or families who would prefer an alternative to in-person instruction. Only five of Danville Christian's students have chosen this option.

82. Danville Christian' Headmaster estimates that it has spent between \$20,000.00 and \$30,000.00 on pandemic-related safety precautions and protocols for the 2020-2021 school year.

83. In October, Danville Christian became aware that a student had tested positive for the novel coronavirus. In conjunction with the local health department, Danville Christian determined through contact tracing which student should be quarantined. The student who tested positive and any other students exposed to him, were required to quarantine away from the school for fourteen days.

84. In early November, Danville Christian became aware of a teacher and three students who tested positive for the novel coronavirus. In response, and in coordination with the local health department, on November 9, Danville Christian ceased in-person instruction for 10 days while it monitored student health. On November 18, Danville Christian began bringing its students back for in-person instruction a few grades at a time staggered over several days. The final grades are to return November 23.

85. The virtual option that Danville Christian has provided to a few of its students severely burdens Danville Christian's ability to carry out its religious purpose and mission, implement its Kingdom Education philosophy, and fulfill its religious vision for those students due to the necessity for an in-person, communal environment. Succeeding in these things to any extent with these few virtual students hinges on Danville Christian's ability to continue to provide in-person instruction to the rest of its students.

86. The Governor's recent order for schools to cease in-person instruction beginning November 23 will prevent Danville Christian from carrying out its religious purpose and mission, implementing its Kingdom Education philosophy, and fulfilling its religious vision.

87. For example, without in-person instruction, Danville Christian will be unable to provide the Christ-centered, creative, loving, academic environment required for its students to grow and develop in accordance with Danville Christian's religious purpose, mission and vision. It will be unable to have the weekly in-person chapel services and corporate prayer that are a key component to implementing its Kingdom Education philosophy. It will be unable to provide the in-person group experiences central to developing Christ-like scholars, leaders, and servants who will advance the Kingdom of God. It will be unable to provide the in-person interaction with Danville Christian's carefully selected Christian instructors and staff needed to inspire its students to know and love God and to empower its students to live a life characterized by love, trust, and obedience to Christ. It will be unable to assemble

together in-person with staff and students as it believes God through the Bible commands it to do.

88. Danville Christian has a sincerely held religious belief that it is called by God to have in-person religious and academic instruction for its students. It is imperative to DCA's religious purpose, mission and vision, and its Kingdom Education philosophy, that DCA continue in-person instruction of its students.

COUNT I
**Violation of the Free Exercise Clause of the First Amendment to the
United States Constitution**

89. The allegations in each of the foregoing paragraphs are incorporated as if fully set forth herein.

90. The First Amendment provides that "Congress shall make no law . . . prohibiting the free exercise" of religion. U.S. Const., amend. I.

91. The right to freely exercise one's religion is incorporated against the states through the Fourteenth Amendment. *See Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940).

92. Under the First Amendment, state officials cannot target religious activity for disfavored treatment without satisfying "the most rigorous of scrutiny." *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 546 (1993).

93. Only a law that is both neutral and generally applicable can avoid this heightened review. But facial neutrality is not enough. "Official action that targets religious conduct for distinctive treatment cannot be shielded by mere compliance with the requirement of facial neutrality." *Id.* at 534. And the government "cannot in

a selective manner impose burdens only on conduct motivated by religious belief.” *Id.* at 543.

94. Executive Order 2020-969 is neither neutral nor generally applicable.

95. The terms of the order are clear: *all* in-person religious schooling must end, regardless of whether the religious school is taking safety precautions, practicing social distancing, implementing appropriate hygiene standards, or otherwise following all of the requirements imposed on the secular activities that are exempt from the order.

96. And the list of permissible secular activities is long. On the same day that Governor Beshear *closed* religious schools, he issued an order allowing “office-based businesses” to continue operating in person so long as they limit capacity to 33 percent of their employees. His other preexisting regulations for offices require that employees wear masks while interacting with co-workers or in common areas, and he urges businesses to limit in-person contact with customers “to the greatest extent practicable.” [See **Exhibit 6**, Requirements for Office-Based Businesses, at 1]. He has not imposed time limitations that prohibit employees from working together in the same workspace for more than 4, 6, 8, or even 10 hours at a time. Instead, he asks “office-based businesses” to abide by simple social-distancing rules and a capacity limit.

97. Governor Beshear also issued an order allowing venues and event spaces to continue operating with up to “25 people per room”—which is more than many classrooms. The order does not impose a time limit on how long people can

gather in a venue or event space. So long as this basic capacity limitation is adhered to, and people follow generally applicable social-distancing and hygiene requirements, they are free to gather in public spaces of no more than 25 people per room.

98. Gyms also are free to continue operating, so long as they limit capacity to 33 percent of their occupancy limits. *See id.* That means Kentuckians are allowed to run on treadmills, lift weights, or do pilates six feet apart, for unlimited durations, but they cannot sit in a classroom with the same amount of space between them.

99. The list continues: if the Governor's Order is allowed to take effect, on November 23 in Kentucky, one will be free to crowd into retail stores, go bowling with friends, attend horse shows, go to the movies, attend concerts, tour a distillery, or get a manicure or massage or tattoo. Although there are limits and restrictions that govern how these in-person activities must operate, the Governor has not prohibited them. Yet, starting on November 23, no one in Kentucky is permitted to attend in-person school, even when religious education is a deep and sincere facet of one's faith, and even when those operating religious schools are abiding by strict social distancing and hygiene standards.

100. Governor Beshear's orders are arbitrary and underinclusive toward secular conduct that creates the same potential risk as the prohibited religious activity.

101. Governor Beshear's orders do not give religious schools the same opportunities to continue operating as secular establishments like event venues and theaters.

102. Governor Beshear's actions are not narrowly tailored to the interest that he intends to advance.

103. Governor Beshear's actions burden religious exercise, and they do so in an undue manner.

104. The restrictions on private religious schools in Executive Order 2020-969 cannot satisfy strict scrutiny.

105. Governor Beshear's actions violate the First Amendment Free Exercise rights of Kentuckians, including, but not limited to, Danville Christian.

106. On behalf of Kentuckians and the Commonwealth as a whole, Attorney General Cameron asks the Court to declare unlawful those portions of Executive Order 2020-969 that prevent religious schools from operating on the same terms as secular establishments that pose comparable public health risks but are nevertheless allowed to remain open in the Commonwealth, and to enjoin Governor Beshear from further enforcement of that unconstitutional restriction on religious activity.

107. Danville Christian asks the Court to declare unlawful those portions of Executive Order 2020-969 that prevent religious schools from operating on the same terms as secular establishments that pose comparable public health risks but are nevertheless allowed to remain open in the Commonwealth, and to enjoin Governor

Beshear from further enforcement of Executive Order 2020-969 against Danville Christian.

108. Danville Christian and the citizens of the Commonwealth will suffer irreparable injury if Executive Order 2020-969 is enforced against religious entities.

COUNT II
Violation of Section 1 and Section 5 of the Kentucky Constitution

109. The allegations in each of the foregoing paragraphs are incorporated as if fully set forth herein.

110. Section 1 of the Kentucky Constitution provides that everyone has the “certain inherent inalienable right[] . . . of worshipping Almighty God according to the dictates of their consciences.”

111. Section 5 of the Kentucky Constitution provides that “the civil rights, privileges or capacities of no person shall be taken away, or in anywise diminished or enlarged, on account of his belief or disbelief of any religious tenet, dogma or teaching,” and that “[n]o human authority shall, in any case whatever, control or interfere with the rights of conscience.”

112. These two provisions protect the right to the free exercise of religion in the same manner as the First Amendment to the United States Constitution. *See Gingerich v. Commonwealth*, 382 S.W.3d 835, 839 (Ky. 2012).

113. Thus, because Governor Beshear’s executive orders target religious activity for disfavored treatment and are not narrowly tailored to meet the state’s interest, the orders unconstitutionally infringe on Kentuckians’ rights under Sections 1 and 5 of the Kentucky Constitution.

114. On behalf of Kentuckians and the Commonwealth as a whole, Attorney General Cameron asks the Court to declare that Sections 1 and 5 of the Kentucky Constitution are violated by those portions of Executive Order 2020-969 that prevent religious schools from operating on the same terms as secular establishments that pose comparable public health risks but are nevertheless allowed to remain open in the Commonwealth, and to enjoin Governor Beshear from further enforcement of unconstitutional restriction on religious activity.

115. Danville Christian asks the Court to declare that Sections 1 and 5 of the Kentucky Constitution are violated by those portions of Executive Order 2020-969 that prevent religious schools from operating on the same terms as secular establishments that pose comparable public health risks but are nevertheless allowed to remain open in the Commonwealth, and to enjoin Governor Beshear from further enforcement of Executive Order 2020-969 against Danville Christian.

116. Danville Christian and the citizens of the Commonwealth will suffer irreparable injury if Executive Order 2020-969 is enforced against religious entities.

COUNT III

Violation of religious entities' First Amendment right to religious autonomy

117. The allegations in each of the foregoing paragraphs are incorporated as if fully set forth herein.

118. Governor Beshear's executive order impermissibly infringes on the autonomy of religious institutions and churches in violation of the First Amendment.

119. The Governor, consistent with the First Amendment, cannot tell religious institutions and churches that they *can* hold in-person worship services but *cannot* hold in-person schooling.

120. Yet, that is exactly what the Governor's executive order does.

121. It accordingly cannot stand under the First Amendment.

122. Governor Beshear's November 18 executive order bans in-person schooling at all private, religious schools starting on Monday, November 23, 2020.

123. At the same time, however, Governor Beshear has specifically permitted in-person worship services to continue.

124. In Executive Order 2020-968, Governor Beshear ordered that his new limits on gatherings "does not apply to in-person services at places of worship, which must continue to implement and follow the Guidelines for Places of Worship."

125. Thus, viewing the Governor's two executive orders together, he has prohibited all in-person religious schooling while simultaneously allowing in-person worship services to continue. This he cannot do.

126. Just this year, the United States Supreme Court held, by a 7–2 vote, that the First Amendment protects the right of religious institutions and churches to make decisions about how to direct religious schooling. *Our Lady of Guadalupe*, 140 S. Ct. at 2055 (2020).

127. If religious institutions get to decide for themselves who teaches their children about religious faith, as *Our Lady of Guadalupe* holds, it follows that

religious institutions get to decide in the first instance whether to provide religious schooling.

128. The government can no more tell religious institutions not to provide religious schooling than it can tell them to employ certain people to accomplish this mission. Each is “essential to the institution’s central mission.” *See id.* at 2060.

129. Governor Beshear’s executive orders tell religious institutions and churches that they cannot open their doors to schoolchildren, and it does so in an especially pernicious way. Not only has Governor Beshear told religious schools that they cannot hold in-person classes, but he is simultaneously permitting religious institutions to hold in-person worship services. That is to say, Governor Beshear has declared that certain religious activities are legal—namely, in-person worship—while others are illegal—specifically, in-person religious schooling. The First Amendment forbids this direct “intru[sion]” onto the “autonomy” of churches and religious institutions.

130. As noted above, the Governor’s top lawyer acknowledges that Governor Beshear is dictating what services religious institutions can and cannot provide. According to the Governor’s General Counsel, in-person schooling is off-limits, but in-person “religious instruction as part of its services—for example, Sunday School or [B]ible study” is permissible.

131. This divvying up of religious services as legal and illegal by Governor Beshear irretrievably intrudes on religious institutions’ “autonomy,” and it cannot satisfy strict scrutiny.

132. On behalf of Kentuckians and the Commonwealth as a whole, Attorney General Cameron asks the Court to declare that Executive Order 2020-969 violates religious entities' First Amendment right to religious autonomy, and to enjoin Governor Beshear from further enforcement of that order against religious entities.

133. Danville Christian, as a religious entity, asks the Court to declare that Executive Order 2020-969 violates its First Amendment right to religious autonomy, and to enjoin Governor Beshear from further enforcement of that order against Danville Christian.

134. Danville Christian and the citizens of the Commonwealth will suffer irreparable injury if Executive Order 2020-969 is enforced against religious entities.

COUNT IV
**Violation of the Establishment Clause of the First Amendment to the
United States Constitution**

135. The allegations in each of the foregoing paragraphs are incorporated as if fully set forth herein.

136. The Establishment Clause demands neutrality by the government toward religious groups. *See Larsen v. Valentine*, 456 U.S. 228, 244 (1982) ("The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another.").

137. The Governor's executive order violates this core principle by favoring religious organizations that provide in-person worship services over those that provide in-person schooling.

138. Governor Beshear’s executive orders permit all manner of in-person worship to continue—Sunday services, Sunday school, Bible studies, and Wednesday night services. A religious organization that wishes to provide these services can continue doing so.

139. However, if the religious organization desires to open its doors to schoolchildren, it is forbidden.

140. The Establishment Clause prohibits Governor Beshear from favoring some religious organizations—those that only offer in-person worship services—and disfavoring other religious organizations—those that offer in-person schooling.

141. Neutrality toward religious organizations is the standard, and the Governor’s executive order are anything but neutral.

142. On behalf of Kentuckians and the Commonwealth as a whole, Attorney General Cameron asks the Court to declare that Executive Order 2020-969 violates the Establishment Clause of the First Amendment, and to enjoin Governor Beshear from further enforcement of that order against religious entities.

143. Danville Christian asks the Court to declare that Executive Order 2020-969 violates the Establishment Clause, and to enjoin Governor Beshear from further enforcement of that order against Danville Christian.

144. Danville Christian and the citizens of the Commonwealth will suffer irreparable injury if Executive Order 2020-969 is enforced against religious entities.

COUNT V
Violation of the Kentucky Religious Freedom Restoration Act

145. The allegations in each of the foregoing paragraphs are incorporated as if fully set forth herein.

146. Kentucky’s Religious Freedom Restoration Act (“RFRA”) is clear: “Government shall not substantially burden a person’s freedom of religion.” KRS 446.350.

147. A “burden” is defined to include even “indirect burdens such as withholding benefits, assessing penalties, or an exclusion from programs or access to facilities.” *Id.*

148. As with the strict scrutiny analysis in the constitutional context above, to survive under RFRA the government must show that it lacks other means of achieving its desired goal without imposing a substantial burden on the exercise of religion by the objecting parties in these cases.

149. There is no question that the Governor’s executive order bars “access” to religious facilities—the Governor has, after all, ordered that no children may attend in-person instruction. Executive Order 2020-969 (“All public and private elementary, middle, and high schools (kindergarten through grade 12) shall cease in-person instruction.”).

150. There is, likewise, no question that the Governor’s order has imposed penalties.

151. In an e-mail dated November 19, 2020, the Commissioner of the Department Education has ominously warned that “[c]ertified school employees . . .

may be subject to disciplinary action by the Education Professional Standards Board (EPSB) for violation of the Professional Code of Ethics” and that “KRS 156.132 provides for the removal or suspension of public school officers, including local board members, for immorality, misconduct in office, incompetence, willful neglect of duty or nonfeasance.”

152. Thus, the Beshear administration has threatened to revoke the certifications for school employees that do “not follow the Governor’s order.”

153. These actions infringe upon religious freedom.

154. The Governor cannot prove “by clear and convincing evidence that [he] has a compelling governmental interest in” such infringement, nor can he prove by clear and convincing evidence that he has used the “least restrictive means to further that interest.” KRS 446.350.

155. On behalf of Kentuckians and the Commonwealth as a whole, Attorney General Cameron asks the Court to declare that the portions of Executive Order 2020-969 that restrict religious activity violate the Kentucky Religious Freedom Restoration Act, and to enjoin Governor Beshear from further enforcement of that order in ways that would violate the Kentucky Religious Freedom Restoration Act.

156. Danville Christian asks the Court to declare that Executive Order 2020-969 violates its rights under the Kentucky Religious Freedom Restoration Act, and to enjoin Governor Beshear from further enforcement of that order against Danville Christian.

157. Danville Christian and the citizens of the Commonwealth will suffer irreparable injury if Executive Order 2020-969 is enforced against religious entities.

PRAYER FOR RELIEF

WHEREFORE, Danville Christian requests the following relief on behalf of itself, and Attorney General Daniel Cameron requests the following relief on behalf of the Commonwealth of Kentucky:

A. A declaration that Executive Order 2020-969, as applied to in-person instruction at Danville Christian Academy and other religious institutions, violates: the Free Exercise and Establishment Clauses of the First Amendment; the right under the First Amendment for religious entities to exercise autonomy over their religious worship and services; the rights guaranteed by Sections 1 and 5 of the Kentucky Constitution; and the rights protected by the Kentucky Religious Freedom Restoration Act;

B. A temporary restraining order, preliminary injunction, and permanent injunction prohibiting Governor Beshear and any of his officers, agents, servants, employees, attorneys, and other persons who are in active concert or participation with him, from enforcing Executive Order 2020-969 against Danville Christian Academy and any other religious entity.

C. Any other relief in law or equity to which the Commonwealth of Kentucky *ex rel.* Attorney General Cameron and Danville Christian might be entitled.

Respectfully submitted by,

DANIEL CAMERON
Attorney General of Kentucky

Danville Christian Academy

/s/ Carmine G. Iaccarino

Barry L. Dunn

Deputy Attorney General

S. Chad Meredith

Solicitor General

Matthew F. Kuhn

Deputy Solicitor General

Carmine G. Iaccarino

Assistant Attorney General

Brett R. Nolan

Special Litigation Counsel

Office of Kentucky Attorney General

700 Capital Avenue, Suite 118

Frankfort, Kentucky 40601

Phone: (502) 696-5300

Barry.Dunn@ky.gov

Chad.Meredith@ky.gov

Matt.Kuhn@ky.gov

Carmine.Iaccarino@ky.gov

Brett.Nolan@ky.gov

Counsel for the Commonwealth

/s/ Joseph A. Bilby (with permission)

Joseph A. Bilby

BILBY LAW PLLC

222 Eastover Drive

Frankfort, Kentucky 40601

joe@bilbylaw.com

David J. Hacker*

Justin Butterfield*

Roger Byron

Hiram S. Sasser, III*

FIRST LIBERTY INSTITUTE

2001 W. Plano Pkwy., Ste. 1600

Plano, Texas 75075

Tel: (972) 941-4444

Fax: (972) 941-4457

dhacker@firstliberty.org

jbutterfield@firstliberty.org

rbyron@firstliberty.org

hsasser@firstliberty.org

Counsel for Danville Christian Academy

*(*pro hac vice application forthcoming)*

DECLARATIONS

On behalf of Danville Christian Academy, Inc., pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing paragraphs no. 56 to 88 are true and correct.

Executed on November 20, 2020

/s/ James S. Ward II (with permission)

James S. Ward II

On behalf of the Commonwealth of Kentucky, pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 20, 2020

/s/ Victor B. Maddox

Victor B. Maddox

Appendix D
(District Court Docket No. 1-1)



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-969
November 18, 2020

STATE OF EMERGENCY

The novel coronavirus (COVID-19) is a respiratory disease causing illness that can range from very mild to severe, including illness resulting in death, and many cases of COVID-19 have been confirmed in the Commonwealth.

The Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population, including the power to command individuals to disperse from the scene of an emergency and to perform and exercise other functions, powers, and duties necessary to promote and secure the safety and protection of the civilian population. Under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth. The Centers for Disease Control and Prevention (CDC) has concluded that COVID-19 most commonly spreads during close contact between people, and can sometimes be spread through airborne transmission, particularly among individuals in enclosed spaces. As a result, scenes of emergency exist where people gather together, potentially spreading COVID-19.

Kentucky is now experiencing a potentially catastrophic surge in COVID-19 cases, which threatens to overwhelm our healthcare system and cause thousands of preventable deaths. Despite Red Zone Reduction Recommendations, Kentucky is faced with exponential growth of COVID-19 cases. Accordingly, Executive Order 2020-968, issued today, imposed new public health measures to slow the spread of COVID-19.

Additional public health measures concerning elementary, middle, and high schools are necessary to further slow the spread of COVID-19 now. These measures are intended to ensure that as many schools as possible may safely return to in-person instruction in the near future.



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

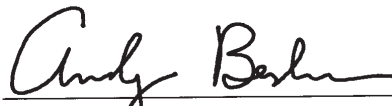
Secretary of State
Frankfort
Kentucky


2020-969
November 18, 2020

Order

I, Andy Beshear, by virtue of authority vested in me pursuant to the Constitution of Kentucky and by KRS Chapter 39A, do hereby Order and Direct as follows:

1. All public and private elementary, middle, and high schools (kindergarten through grade 12) shall cease in-person instruction and transition to remote or virtual instruction beginning November 23, 2020.
2. All middle and high schools (grades 6 through 12) shall remain in remote or virtual instruction and not resume in-person instruction prior to January 4, 2021.
3. For the period from December 7, 2020 to January 4, 2021, all elementary schools (kindergarten through grade 5) may reopen for in-person instruction, provided:
 - a. The school is not located in a Red Zone County, as provided by the Kentucky Department for Public Health on the COVID-19 website (available at <https://govstatus.egov.com/kycovid19>); *and*
 - b. The school follows all expectations in the KDE Healthy at School Guidance on Safety Expectations and Best Practices for Kentucky Schools (available at <https://govstatus.egov.com/ky-healthy-at-school>).
4. Nothing in this Order shall prohibit schools from providing small group in-person targeted services, as provided in KDE guidance.
5. This Order shall apply to all institutions of public and private elementary and secondary education, but does not apply to private schools conducted in a home solely for members of that household.


ANDY BESHEAR, Governor
Commonwealth of Kentucky


MICHAEL G. ADAMS
Secretary of State

Appendix E
(District Court Docket No. 1-2)



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-968
November 18, 2020

STATE OF EMERGENCY

The novel coronavirus (COVID-19) is a respiratory disease causing illness that can range from very mild to severe, including illness resulting in death, and many cases of COVID-19 have been confirmed in the Commonwealth.

The Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population, including the power to command individuals to disperse from the scene of an emergency and to perform and exercise other functions, powers, and duties necessary to promote and secure the safety and protection of the civilian population. Under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth. The Centers for Disease Control and Prevention (CDC) has concluded that COVID-19 most commonly spreads during close contact between people, and can sometimes be spread through airborne transmission, particularly among individuals in enclosed spaces. As a result, scenes of emergency exist where people gather together, potentially spreading COVID-19.

Kentucky is now experiencing a potentially catastrophic surge in COVID-19 cases, which threatens to overwhelm our healthcare system and cause thousands of preventable deaths. Despite Red Zone Reduction Recommendations, Kentucky is faced with exponential growth of COVID-19 cases.

Accordingly, new public health measures are required to slow the spread of COVID-19. Kentuckians can save lives if they remain Healthy at Home, which will continue to help protect our community from the spread of COVID-19.

Order

I, Andy Beshear, by virtue of authority vested in me pursuant to the Constitution of Kentucky and by KRS Chapter 39A, do hereby Order and Direct as follows:



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-968
November 18, 2020

1. All prior orders and restrictions remain in full force and effect, except as modified below. In particular, all Kentuckians should continue to wear face coverings to protect themselves and others, as set forth in Executive Order 2020-931 (and any order renewing it) and 902 KAR 2:210E. Current guidance and restrictions shall continue to apply to any activity not listed below.
2. This Order does not apply to education, childcare, or healthcare, which operate under separately issued guidance and orders. Current guidance for all entities is available online at the Healthy at Work website (<https://govstatus.egov.com/ky-healthy-at-work>).
3. These restrictions shall take effect on Friday, November 20, 2020, at 5 p.m. local time, and shall expire on Sunday, December 13, 2020, at 11:59 p.m. local time.
4. **Restaurants and Bars.** All restaurants and bars must cease all indoor food and beverage consumption. Restaurants and bars may provide delivery and to-go service to the extent otherwise permitted by law. Restaurants and bars may provide outdoor service, provided that all customers are seated at tables, table size is limited to a maximum of eight (8) people from a maximum of two (2) households, and tables are spaced a minimum of six (6) feet apart. For the avoidance of doubt, this restriction applies to indoor dining facilities at retail locations, including food courts. A household is defined as individuals living together in the same home. Additional guidance for outdoor dining is available online at the Healthy at Work website (<https://govstatus.egov.com/ky-healthy-at-work>).
5. **Social Gatherings.** All indoor social gatherings are limited to a maximum of two (2) households and a maximum of eight (8) people. A household is defined as individuals living together in the same home.
6. **Gyms, Fitness Centers, Pools, and Other Indoor Recreation Facilities.** Gyms, fitness centers, swimming and bathing facilities, bowling alleys, and other indoor recreation facilities must limit the number of customers present inside any given establishment to 33% of the maximum permitted occupancy and ensure that individuals not from the same household maintain six (6) feet of space between each other. Indoor group activities, group classes, team practices, and team competitions are prohibited. Notwithstanding 902 KAR 2:210E, Section 2(3)(j), all individuals inside such facilities must wear face coverings at all times, including while actively engaged in exercise. For the avoidance of doubt, this provision does not apply to athletic activities at schools, for which separate guidance will be provided by KHSAA, or athletic activities at institutions of higher education.
7. **Venues, Event Spaces, and Theaters.** Indoor venues, event spaces, and theaters are limited to 25 people per room. This limit applies to indoor weddings and funerals. For the avoidance of doubt, this limit does not apply to in-person services at places of worship, which must continue to implement



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-968
November 18, 2020

and follow the Guidelines for Places of Worship available online at the Healthy at Work website (<https://govstatus.egov.com/ky-healthy-at-work>).

8. **Professional Services.** All professional services and other office-based businesses must mandate that all employees who are able to work from home do so, and close their businesses to the public when possible. Any office that remains open must ensure that no more than 33% of employees are physically present in the office any given day.
9. Nothing in this Order should be interpreted to interfere with or infringe on the powers of the legislative and judicial branches to perform their constitutional duties or exercise their authority.

A handwritten signature in blue ink that reads "Andy Beshear".

ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State

Appendix F
(District Court Docket No. 1-3)

From: Cabbage, Amy (Gov Office) <amy.cabbage@ky.gov>

Sent: Thursday, November 19, 2020 3:05:13 PM

To: Dunn, Barry (KYOAG) <Barry.Dunn@ky.gov>

Subject: RE: Gov. Beshear Implements New Restrictions to Save Lives

Barry,

The order concerning schools applies to all public and private schools engaged in primary or secondary education (K-12), regardless of whether they are religiously affiliated. The order does not apply to other forms of instruction or places of worship. Accordingly, a place of worship that provides religious instruction as part of its services – for example, Sunday School or bible study – may do so.

I hope this answers your question.

Thanks,

--Amy

From: Dunn, Barry (KYOAG) <Barry.Dunn@ky.gov>

Sent: Thursday, November 19, 2020 6:55 AM

To: Cabbage, Amy (Gov Office) <amy.cabbage@ky.gov>

Subject: Re: Gov. Beshear Implements New Restrictions to Save Lives

Amy,

We have been asked whether the school order applies to religiously affiliated schools. While the order appears to contemplate all schools, there is a carve out for houses of worship in a separate order issued today. Could you advise whether the Governor's order intends to capture religiously affiliated schools?

Thanks,

Barry L. Dunn
Deputy Attorney General

Appendix G
(District Court Docket No. 1-5)

DCA Reopen FAQ

General

1. When will school start back?

Answer: The first day for students will be August 12th.

2. Will my student have to wear a mask at school? Will staff be required to wear a face mask or face shield?

Answer: Yes, students and staff will be asked to wear a mask in all instances where social distancing is not feasible. DCA students and staff will wear masks in hallways, entering and exiting the building and classrooms. Once a student is at their desk, if social distancing is obtainable between students and staff, they will be permitted to remove their face mask. Parents who request that their child wear a mask at all times will be honored. Preschool students will not wear masks, based on the guidance documents from the CDC and the American Pediatric Association.

3. Will there be in-person school?

Answer: We are planning to offer in-person instruction for our students.

4. Will there be other options aside from in-person instruction?

Answer: We realize that some of our families may have medically fragile people and do not wish to return to in-person instruction. Parents may contact the DCA Headmaster directly to request this option. We are planning to offer a streaming option for families who have students in grades 6-12 on a case by case basis. Students in grades preschool - grade 5 will be given packet assignments that will be picked up on Monday and returned on Friday. If parents and students are granted this option then accountability for attendance and completed assignments must be followed. This will not be the same as NTI days.

5. Are you all considering an A/B option (alternating day) schedule for students?

Answer: We are not at this time. The biggest concern with this type of scheduling is finding a way to accommodate siblings and families that have students in multiple grades.

6. Will there be a hybrid option allowing for both in-person and online learning during each week of instruction?

Answer: We believe that there is no replacement for the in-person experience your student receives from our DCA staff. However, we will make arrangements for the child or family that has illness.

7. If DCA refuses to offer virtual learning to a family, can the tuition commitment be released and refunded?

Answer: The finance committee will make decisions on a case by case basis.

8. If my child is granted the virtual instructional option, will you supply them with a laptop? Will a phone work?

Answer: Yes, a Chromebook will be supplied to students in grades 6-12. No, the work will require internet access and the Chromebook / laptop.

9. If my child begins the year in-person, but has to switch to virtual due to COVID-19, will they be able to do so?

Answer: Yes

10. Will preschool be offered?

Answer: Yes, it will be offered. We will cap our classes at a smaller class size to accommodate the suggested guidelines.

11. Will there be recess?

Answer: Yes, we will offer recess with social distancing.

12. Will the in-person instruction and virtual instruction be the same?

Answer: Yes, We will be offering the instruction through live streaming or recorded Google Classroom. However, we feel like there is no replacement for the in-person experience your student receives from our DCA staff.

13. Will the virtual option be similar to the NTI work we did last spring?

Answer: No, the virtual will be real time or recorded instructional lessons. This is the closest to in-person instruction as possible.

14. Can households with multiple children choose multiple options?

Answer: Again, we will take these requests on a case by case basis.

15. Will there still be NTI days?

Answer: Yes, NTI days will be used for snow days, flood days, sick days, etc.

16. Will families be able to travel during the school year?

Answer: DCA will defer to the travel advisories from state officials. DCA administration will prefer phone calls to let us be aware of future travel plans.

17. Are neck gaiters allowed in place of masks?

Answer: Yes

18. What will morning arrival and afternoon dismissal look like?

Answer: **Arrival** - All teachers will open their doors at 7:45 AM. Students will be dropped off in the drop off lanes. We will take their temperature at the car and through the doors to get valid readings. Students will go directly to their classrooms and not linger in the hallways.

Dismissal - We will use the procedures for rain dismissal throughout the 2020-21 school year. As the cars pull into the dismissal lanes we will call for individual students to be released from their classrooms.

FAQ About the School Buildings

1. Will my student have their temperature check daily at school?

Answer: Yes, every student will have a temperature check as they enter the doors of the school through a thermal camera system.

- The DCA Board of Education has implemented a policy for school year 2020-21 stating that all students and staff who have a fever must be fever free for 72 hours and visit a Dr. for readmittance into DCA.

2. Can my student wear a face shield instead of a face mask at school?

Answer: Yes, If a child has a pre-existing respiratory condition and a Dr.'s documentation they may wear a face shield.

3. What will classrooms look like?

Answer: Our hope is to space desks out well enough to where students and staff can take their face mask off in classrooms. Indications from our polling lead us to believe this will be the case in most rooms.

Classrooms with tables create more difficulty in achieving social distancing, for this reason we are looking into transparent dividers to help separate students at tables.

- Students will be assigned to seats to help with contact tracing.
- Rooms will be ventilated via fans or open windows
- Rooms will be sanitized frequently throughout the day.
- Hand sanitizer will be available.
- Handwashing schedules will be implemented.
- Hall lockers will be unavailable for students in grades 6-12.
- All rooms will require rearrangement of furniture and classroom items to meet standards.

4. Will visitors be allowed in the schools?

Answer: Non-essential visitors will not be allowed on our campus. Preschool parents may drop students off at the classroom doors.

5. What happens if a staff person or student begins to show symptoms once on campus?

Answer: DCA is required to provide a separate health room for anyone with a fever of 100.4. DCA will work closely with parents to keep the symptomatic person and the rest of the building as safe and secure as possible.

6. Is DCA looking to increase enrollment in light of COVID restrictions & CDC guidelines?

Answer: No, we believe it is best to keep our class size below 20 at this time. Most of our classrooms have an enrollment of 16 or less.

Cafeteria

- Lunch will be provided on site and social distancing must be practiced. We have purchased plexiglass cubicles for students to eat their lunch in the commons room and at the top of the gym.
- Parents may deliver lunches to the front desk for students
- Seating charts will be implemented.
- Students will remove their face mask once they are seated.
- Staff will be asked to wear a face mask at all times while in the cafeteria and we will disinfect eating areas after students are finished eating.

Restrooms

- A handwashing schedule has been developed for increased hygiene.
- Six new hand sanitizer dispensers are located throughout the school for increased hygiene.
- Restrooms will be disinfected regularly throughout the day.
- Restroom breaks will account for social distancing and be monitored for overcrowding.
- Water fountains will be closed. However, we ask that you send a water bottle with your child. If the child does not have water we will provide a water bottle.

PE / Athletics (elementary / middle and high school)

1. If my student is given the option of virtual school, will they be able to compete in sports?

Answer: Yes

2. Are there going to be fall sports?

Answer: Maybe, Our governing body is the Kentucky High School Athletics Association and they will make a determination on July 28th.

3. Will there be PE classes?

Answer: Yes, However, the activities will be more individualized in nature. When we do have group activities the equipment will be wiped with antibacterial wipes prior to play and after play.

4. Will masks have to be worn during PE?

Answer: We are not requiring masks during PE due to the dangers of exertion and heat related health issues.

Field Trips

Will DCA take field trips this year?

Answer: All field trips will be placed on hold until we work through the current issues.

General Health

1. What measures will be taken if a student receives a positive COVID test?

Answer: DCA will follow guidance from the Boyle County Health Department.

2. How long will the child be required to stay home after a positive test?

Answer: DCA will follow the guidance from the Boyle County Health Department.

3. If a family member tests positive will we require the student to quarantine? If a DCA sibling tests positive, will siblings be required to quarantine?

Answer: DCA will follow the guidance from the Boyle County Health Department.

4. If a student develops COVID symptoms while at school, would the student report to the front office or would office personnel report to the classroom to temp check?

Answer: Yes, the student will report to the office in a mask and have their temperature checked.

5. Will students wash hands when arriving at school or use hand sanitizer?

Answer: Yes

6. What symptoms will require a student to be sent home?

Answer: A temperature of 100.4. All other symptoms will be monitored and reported to the parent.

7. If a student has a temperature at drop off and the parent has already left, where will the student report?

Answer: The health department requires that students with a temperature be kept in a separate health room until the parent arrives to pick up the student.

**8. What engineering controls have been planned to decrease indoor spread risk?
Fans, portable UV HEPA filter air purifiers, opening windows when possible,
HEPA filters on HVAC, increasing air circulation through all areas to decrease
aerosol concentration.**

Answer: We are exploring the use of air purifiers and the use of HEPA filters on the HVAC system. Fans and open windows will be utilized for increased air circulation.

Appendix H
(District Court Docket No. 1-6)

Healthy at Work

TEAM
KENTUCKY

VERSION 1.0 – Effective May 11, 2020

Requirements for Office-Based Businesses¹

In addition to the Healthy at Work [Minimum Requirements](#), **office-based businesses** must meet the requirements below in order to reopen and remain open:

Social Distancing Requirements

- Businesses should conduct business via phone or Internet to the greatest extent practicable. Employees who are currently able to perform their job duties via telework should continue to telework.
- Businesses must ensure that no more than 50% of employees are physically present in the office on any given day.
- Businesses must ensure that employees wear face masks for any interactions between co-workers or while in common travel areas of the office (e.g., hallways, conference rooms, bathrooms, entries and exits). Employees are not required to wear face masks while alone in personal offices or if doing so would pose a serious threat to their health or safety.
- Businesses should ensure that employees use digital files rather than paper formats (e.g., documentation, invoices, inspections, forms, agendas) to the greatest extent practicable.
- Businesses must conduct meetings with customers over the phone or Internet to the greatest extent practicable. Where in-person meetings with customers cannot be avoided, the employees must wear face masks and remain six feet apart from the customers.
- Businesses should, to the greatest extent practicable, modify the office's traffic flow to minimize contacts between employees.

Cleaning and Disinfecting Requirements

- Businesses should ensure that offices and workstations are properly cleaned and ventilated.
- Businesses should encourage employees to frequently wash their hands or use hand sanitizer, which should be provided by the business.

¹ Office-based businesses include finance and accounting, legal, insurance, engineering, architecture, real estate, scientific/technical, property management, non-profit organizations performing administrative services, and other corporate offices and private office-based firms.

Healthy at Work

TEAM
KENTUCKY

Training and Safety Requirements

- Businesses should ensure that appropriate signage is posted throughout the office space to inform employees and customers about good hygiene and new office practices.
- Businesses should, to the greatest extent practicable, implement hours where service can be safely provided to persons at higher risk for severe illness per CDC guidelines. These guidelines are available at: <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>

Appendix I
(District Court Docket No. 1-7)

ARTICLES OF INCORPORATION
OF
DANVILLE CHRISTIAN ACADEMY, INC.

These Articles of Incorporation, made and entered on this the 11th day of December, 2001, for the purpose of forming a non-profit corporation under the laws of the State of Kentucky, as follows:

ARTICLE I

The name of the corporation is Danville Christian Academy, Inc., and by such name it shall be known as a body corporate and its duration shall be perpetual.

ARTICLE II

The purpose of the corporation shall be to provide a creative, loving, academic environment for children to grow socially, emotionally, physically, academically, and spiritually through individual and group learning experiences under the guidance and nurture of carefully chosen Christian teachers, administrators, and under the Lordship of Jesus Christ. It shall be the purpose of the Danville Christian Academy to encourage all students to grow in a personal relationship with Jesus Christ and to emphasize the value of the eternal soul, the worth of the individual, the love of God for man, and the kinship of all peoples as taught in the Holy Scriptures, while providing

0527114.09
John A. Brown III
Secretary of State
Received and Filed
12/14/2001 10:00 AM
Fee Receipt: \$8.00
Payne - NAOI

students with the opportunity for achieving academic excellence.

ARTICLE III

The address of the registered and principal office of the corporation in the State of Kentucky is 501 Waveland Avenue, Danville, Boyle County, Kentucky, 40422. The name of the registered agent of the corporation is Mike Hudson, 501 Waveland Avenue, Danville, KY 40422.

ARTICLE IV

The names and addresses of the directors, that shall also be referred to as Trustees, who are to serve until the first annual meeting are:

Ernest L. Martin	560 Kemper Lane Danville, KY 40422
Charles Lane	149 Brightleaf Drive Lancaster, KY 40444
Kirtley Settles	3553 Shakertown Road Danville, KY 40422

ARTICLE V

Under the name of the corporation it may adopt a corporate seal, and it has the power to contract and be contracted with, to sue and be sued, and it may receive, accept, purchase or acquire and hold in any other lawful manner real and personal property, and it may dispose of same by gift, deed, or in any other lawful manner, for the benefit of the corporation, its members, or any other cause

or causes of a religious, educational, or charitable nature; and shall further have all powers provided by KRS 273.171, and other applicable law.

ARTICLE VI

The corporation is not organized for pecuniary profit nor shall it have any power to issue certificates of stock or declare dividends, and no part of its net earnings shall inure to the benefit of any member or director. The balance, if any, of all money received by the corporation from its operations after the payment in full of all debts and obligations of the corporation, of whatsoever kind and nature, shall be used and distributed exclusively for charitable, scientific, and educational purposes.

ARTICLE VII

The corporation formed hereby shall have no capital stock, and shall be composed of members rather than shareholders.

ARTICLE VIII

The Bylaws may be adopted or amended by a majority of the members of the corporation, or if so provided in the Bylaws, by the directors of the corporation.

ARTICLE IX

Membership in the corporation may be terminated in the manner provided in the Bylaws of the corporation, and unless otherwise provided in the Bylaws, all rights of a member in

the corporation shall cease on termination of his/her membership.

ARTICLE X

Members or directors of the corporation shall not be personally liable for any debt or obligation solely by reason of being members or directors.

ARTICLE XI

The name and mailing address of the incorporators are as follows:

Ernest L. Martin	560 Kemper Lane Danville, KY 40422
Charles Lane	149 Brightleaf Drive Lancaster, KY 40444
Kirtley Settles	3553 Shakertown Road Danville, KY 40422

ARTICLE XII

This corporation reserves the right to amend, alter, change, or repeal any provision contained in these Articles of Incorporation in the manner or hereafter prescribed by the laws of the Commonwealth of Kentucky, and all rights conferred upon members herein are subject to this reservation.

IN TESTIMONY WHEREOF, witness the signature of the incorporator this the same year and date first above written.


ERNEST L. MARTIN


CHARLES LANE


KIRTLEY SETTLES

100501JWB\Corp\Christian.art

SHEEHAN, BARNETT, HAYS, DEAN & PENNINGTON, P.S.C.

ATTORNEYS AT LAW
114 SOUTH FOURTH STREET
P.O. BOX 1517
DANVILLE, KENTUCKY 40423-1517

JAMES G. SHEEHAN, JR.
JAMES WILLIAM BARNETT
EDWARD D. HAYS
J. HADDOEN DEAN
H. VINCENT PENNINGTON, III

TELEPHONE (859) 236-2641
FAX (859) 236-1483

December 11, 2001

Honorable John Y. Brown
Secretary of State
P.O. Box 718
Frankfort, KY 40602-0718

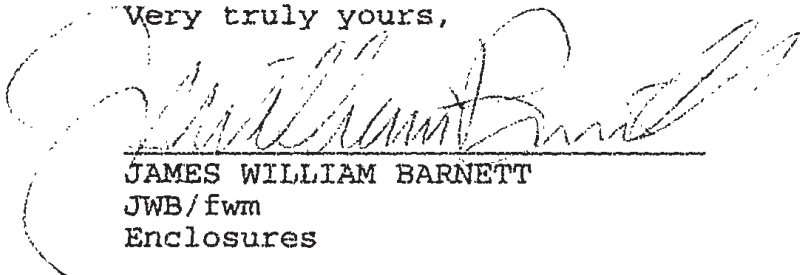
Re: DANVILLE CHRISTIAN ACADEMY, INC.

Dear Mr. Brown:

Enclosed please find triplicate originals of Articles of Incorporation for Danville Christian Academy, Inc., for filing, along with a check payable to Kentucky Secretary of State in the amount of \$8.00 for the filing fee of a non-profit corporation. Also find enclosed triplicate originals of the Certificate of Withdrawal of Assumed Name and a \$20.00 filing fee check to file same.

I thank you in advance for your cooperation and prompt attention in filing these articles and for returning the stamped copies for additional filing purposes.

Very truly yours,



JAMES WILLIAM BARNETT
JWB/fwm
Enclosures

Appendix J
(District Court Docket No. 24-1)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
FRANKFORT DIVISION**

**DANVILLE CHRISTIAN
ACADEMY, INC.**

And

**COMMONWEALTH OF
KENTUCKY, ex. rel. Attorney General
Daniel Cameron**

Plaintiffs,

vs.

Civil Action No. 3:20-cv-00075-GFVT

**ANDREW GRAHAM BESHEAR, in
His official capacity as the Governor of
The Commonwealth of Kentucky,**

Defendant.

DECLARATION OF DR. STEVEN J. STACK, M.D.

I, STEVEN J. STACK, M.D., declare as follows:

BACKGROUND

1. I am over the age of eighteen and competent to testify in this matter. I currently reside in Lexington, Kentucky. I am knowledgeable of the facts set forth herein, and I possess the requisite professional qualifications, skills, training and experience to render the expert medical opinions expressed herein.
2. I am the Commissioner of the Kentucky Department for Public Health (DPH).
3. Since the time of my appointment as Commissioner of the Kentucky Department of Public Health, I have consulted with expert epidemiologists and read much of the professional

literature about the novel coronavirus, or COVID-19, from reputable sources, including the Centers for Disease Control and Prevention (CDC), which continues to closely monitor and respond to the COVID-19 outbreak, so that I may advise Governor Beshear with the most up-to-date scientific and epidemiological medical advice on how to best protect the public health of Kentucky citizens during the current international healthcare crisis

4. My background is in emergency medicine. I graduated magna cum laude from the College of the Holy Cross in Worcester, MA, in classical and premedical studies. I completed medical school and emergency medicine residency at The Ohio State University before moving to Memphis to begin clinical practice. I also completed my MBA at UT Knoxville Haslam College of Business in December 2017. I have served as medical director of multiple emergency departments, including St. Joseph East (Lexington), St. Joseph Mt. Sterling (rural eastern Kentucky) and Baptist Memorial Hospital (Memphis, TN). I possess more than 19 years of experience in emergency medicine clinical practice and administration in Kentucky, Ohio and Tennessee. In 2006, my colleagues elected me to the American Medical Association (AMA) board of trustees, where I subsequently served as board chair and in 2015-2016 as the president.

COVID-19

5. The DPH is responding to a pandemic of respiratory disease spreading from person-to-person and caused by a novel coronavirus. This situation poses a serious public health risk because 100% of people, essentially, are susceptible to infection. COVID-19 is highly infectious with a long incubation period. COVID-19 spreads mainly among people who are in close contact, which the Centers for Disease Control and Prevention (“CDC”) defines as being within 6 feet of an infected person for a cumulative total of 15 minutes or more

over a 24-hour period.¹ The science behind this spread is that when an infected person coughs, sneezes, or talks, droplets from their mouth or nose are launched into the air and land in the mouths or noses of people nearby. The droplets can also be inhaled into the lungs. These droplets carry the infection from an individual infected with COVID-19 to an otherwise uninfected individual, and so on and so forth.

6. COVID-19 can sometimes also be spread by airborne transmission. This means infections can spread by exposure to virus in small droplets and particles that can linger in the air for minutes to hours. These viruses may be able to infect people who are further than 6 feet away from the person who is infected or after that person has left the space. The CDC has determined that these transmissions typically occurred within enclosed spaces that had inadequate ventilation. Sometimes the infected person was breathing heavily, for example while singing or exercising.²
7. There is a strong indication that people who are infected but do not have symptoms play a significant role in the spread of COVID-19. In fact, the CDC now estimates that most COVID-19 infections are caused by asymptomatic or presymptomatic individuals who feel well and may be unaware of their infectiousness to others.³
8. As the disease has progressed, we have learned about settings where the disease is more likely to spread. Places where people congregate near each other indoors for extended periods of time (more than 15 minutes) appear to be the locations most associated with spread of COVID-19, especially if people are not wearing masks. Studies have tied

¹ <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact>

² <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>

³ <https://www.cdc.gov/coronavirus/2019-ncov/more/masking-science-sars-cov2.html>

catastrophic outbreaks to restaurants,⁴ weddings,⁵ funerals,⁶ and worship services.⁷ These outbreaks do not affect only those who choose to attend the events. A genetic study has traced 20,000 cases in Boston to a single healthcare conference with only 175 attendees.⁸ And a single wedding in rural Maine attended by 55 people ultimately led to infections of at least 177 people, including at a long-term care facility 100 miles away and at a correctional facility approximately 200 miles away, and ultimately caused at least seven deaths.⁹ Importantly, *none* of the seven people who died had attended the wedding reception.

9. By contrast, transient encounters – where people are near each other for less than 15 minutes – appear less likely to cause the spread of disease, especially when individuals are wearing facial coverings and maintaining distance from each other. As a result, we have not seen significant spread among shoppers in settings where such encounters occur, such as retail locations.
10. Together, this evidence shows that social distancing helps to combat the methods of transmission by limiting contact with infected people and contaminated surfaces. The CDC defines social distancing as staying at least 6 feet from other people, not gathering in groups, staying out of crowded places, and avoiding indoor gatherings.

⁴ Chang, S., Pierson, E., Koh, P.W. *et al.* Mobility network models of COVID-19 explain inequities and inform reopening. *Nature* (2020). <https://doi.org/10.1038/s41586-020-2923-3>

⁵ <https://www.cdc.gov/mmwr/volumes/69/wr/mm6945a5.htm>

⁶ Ellen Barry, *Days After a Funeral in a Georgia Town, Coronavirus 'Hit Like a Bomb'*, N.Y. Times, Mar. 30, 2020, available at <https://www.nytimes.com/2020/03/30/us/coronavirus-funeral-albany-georgia.html> (last visited Aug. 27, 2020).

⁷ Bailey Loosemore and Mandy McLaren, *Kentucky county 'hit really, really hard' by church revival that spread deadly COVID-19*, Courier-Journal, Apr. 1, 2020, available at <https://www.courier-journal.com/story/news/2020/04/01/coronavirus-kentucky-church-revival-leads-28-cases-2-deaths/5108111002/> (last visited Aug. 27, 2020).

⁸ Jacob E. Lemieux, et al., Phylogenetic analysis of SARS-CoV-2 in the Boston area highlights the role of recurrent importation and superspreading events, *MedRxiv* (pre-print), Aug. 25, 2020, available at <https://www.medrxiv.org/content/10.1101/2020.08.23.20178236v1.full.pdf>. (last visited Aug. 27, 2020).

⁹ <https://www.cdc.gov/mmwr/volumes/69/wr/mm6945a5.htm>

11. Contact tracing also helps to reduce the spread of COVID-19. Contact tracing is the process by which public health workers, after interviewing individuals who have tested positive for COVID-19 and instructing them to isolate so as not to spread disease, attempt to identify any of those individuals' close contacts who are at elevated risk of becoming infected themselves and further spreading disease. The public health workers instruct the close contacts to quarantine so that they do not spread COVID-19 to others.
12. However, as COVID-19 becomes widespread in the community, these measures may become less effective at combating the spread of disease. For instance, contact tracing has become overwhelmed, and contact tracers are frequently unable to identify or contact all close contacts of infected individuals.

KENTUCKY TAKES ACTION TO SLOW THE SPREAD OF COVID-19

13. On March 6, 2020, the Governor of the Commonwealth of Kentucky declared a state of emergency, issuing Executive Order 2020-215. This response came to combat the spread of the novel coronavirus COVID-19.
14. The Commonwealth implemented measures that successfully flattened the curve of two surges of COVID-19. During the first surge, non-life-sustaining businesses were closed, and mass gatherings were prohibited. Notably, Governor Beshear recommended that all public and private schools cease providing in-person instruction, and all public school districts and the vast majority of private schools followed that recommendation. As a result, cases began to decline.
15. Despite this initial success, a second surge occurred in Kentucky this summer, and officials responded with additional public health measures. Among these measures is a mandate that all Kentuckians wear facial coverings when social distancing cannot be maintained. *See*

902 KAR 2:210E. Kentucky also limited social gatherings; reduced restaurant and bar capacity; and took other steps in alignment with guidance from the CDC and the White House. Again, these measures initially arrested the exponential growth of COVID-19 cases in Kentucky.

16. When schools reopened this Fall, they did so under additional public health measures developed by DPH and the Kentucky Department of Education, and in alignment with CDC guidance. In addition, DPH promulgated a regulation requiring schools to provide data to DPH when they become aware of positive cases or quarantined individuals among the school's students or staff. *See* 902 KAR 2:220E. This regulation is important to advise citizens of the presence or absence of disease within the school setting as reported by school officials to empower parents, school staff and the community at large to make informed determinations of their own and their children's risk of becoming infected through in-person participation in school activities. This regulation applies to all schools, public and private. DPH's self-reporting portal reflects that Danville Christian Academy has never reported a single case under this regulation, although it admits in its Verified Complaint that it is aware of multiple confirmed cases among its students and staff.¹⁰

KENTUCKY ENTERS THE CURRENT THIRD SURGE OF COVID-19

17. Despite the initial success of these measures to slow the spread of COVID-19, the disease is again spreading exponentially in Kentucky. Some of this increase spread may be due to changes in the season, as cooler weather drives people indoors. Some of the spread is likely attributable to willful noncompliance with social distancing, the facial coverings mandate, and other public health measures. And some of the increased spread is likely due to

¹⁰<https://public.tableau.com/profile/chfs.dph#!/vizhome/COVID19SchoolSelfReportngData/SchoolSelfReportCovid19DB>.

understandable weariness among the people of Kentucky. The citizens of the Commonwealth have had to deal with this pandemic since March, for nearly nine months. That is nine months of living in a new normal. That is hard. This has led to fatigue. Neither I nor any of the other officials diligently combating this virus discounts these feelings of the people of Kentucky. Unfortunately, only the disease dictates when we can take a break.

18. At my recommendation, and consistent with guidance from the White House, Governor Beshear implemented a Red Zone Reduction plan on October 26, 2020. Under this plan, DPH provided recommendations of steps for Kentuckians to take if they live in “red zone” counties, meaning the county has a daily average of more than 25 cases per 100,000 people over a seven-day period. Among the recommendations are that Kentuckians in these areas cease in-person gatherings, and that schools provide remote instruction. Our hope was that these voluntary, localized recommendations – in addition to existing measures like the facial coverings mandate – would be enough to slow the spread of COVID-19. That has not proved to be the case. Kentucky is now setting records for number of cases of COVID-19 and number of persons hospitalized for COVID-19 on a near-daily basis. Additionally, in multiple regions throughout the Commonwealth, hospital systems have temporarily cancelled and postponed some medical and surgical procedures for non-COVID-19 patients due to capacity limitations resulting from increased numbers of hospitalized COVID-19 patients as well as a reduced number of available healthcare workers who are themselves infected with COVID-19 or in quarantine due to high-risk exposure to COVID-19 infection.

19. This surge comes at a particularly dangerous time. This week we prepare to celebrate one of the most cherished holidays in our country, but nearly all experts across the country

agree that we should alter our plans for Thanksgiving, to reduce or eliminate travel, host virtual or outdoor Thanksgiving dinners, and if attending an indoor gathering to wear a mask.¹¹

20. Canada's experience following Thanksgiving is a cautionary tale. Canadian public health officials and Prime Minister Justin Trudeau warned Canadians not to travel or gather with families for the Canadian Thanksgiving holiday, which was celebrated on October 12, 2020.¹²

21. Despite these warnings, cases exploded in Canada after Thanksgiving, with exponential increases in cases seen in a predictable time (two to three weeks) after the holiday. Public health officials attributed the spread of cases to Thanksgiving gatherings.¹³ Accordingly, despite warnings from the CDC and other public health officials, we should anticipate similar spread of COVID-19 across the Commonwealth and the rest of the United States in the weeks following Thanksgiving.

22. Increased spread from the Thanksgiving holiday is particularly likely because COVID-19 cases are already growing exponentially across the United States. November has brought the third and strongest surge of COVID-19 throughout the United States and the disease has not spared the Commonwealth of Kentucky from this brutal surge. On November 20, 2020, the United States had 185,095 new cases of COVID-19 and 1,947 deaths. On that day, Kentucky experience a record-high 3,816 new cases reported and also 20 additional deaths.

¹¹ See full recommendations at: <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/holidays/thanksgiving.html>.

¹² <https://nationalpost.com/pm-news-pmn/canada-news-pmn/covid-19-hits-more-schools-amid-growing-fears-of-pandemics-second-wave>.

¹³ <https://edmonton.ctvnews.ca/alberta-reports-record-427-new-covid-19-infections-active-cases-now-exceed-3-500-1.5156382>.

23. In total, 1,783 Kentuckians have died from COVID-19 so far. Deaths generally lag diagnosis by about three weeks, so we should expect that number to increase substantially in the coming weeks and months, given the recent surge of cases in Kentucky. A model created by the University of Washington's Institute for Health Metrics and Evaluation estimates that, without additional restrictions, 3,000 more Kentuckians will die between November 16, 2020, and March 1, 2021. *See Exhibit 1*. Among the "Critical Drivers" of this model are whether a state implements school closures. *Id.* at 6. This model also shows that compliance with the facial coverings mandate is less than 70%. *Id.* at 9. Additional measures are required.

24. Besides a growing number of preventable deaths, the exponential spread of COVID-19 also threatens our healthcare resources. Unless Kentuckians slow the spread of disease, COVID-19 positive patients will continue to fill hospital beds and ICUs, which may reach capacity. Already, St. Elizabeth's Fort Mitchell has reached capacity and has implemented a surge plan.¹⁴ And widespread COVID-19 means that vital healthcare workers may become sick and unable to work. For example, news reports indicate that more than 900 staff members at Mayo Clinic were diagnosed with COVID-19 in a two-week period.¹⁵ If hospitals lack beds, or if employees are too sick to work, there is a real risk that patients will not be able to access the care they need.

CURRENT PUBLIC HEALTH MEASURES TO STOP THE SPREAD

25. To combat this potentially catastrophic surge, I advised Governor Beshear to implement new measures to reduce the spread.

¹⁴ <https://www.rcnky.com/articles/2020/11/18/st-elizabeth-ft-thomas-capacity-hospital-system-starts-covid-surge-plan>.

¹⁵ <https://www.cnn.com/2020/11/19/us/mayo-clinic-900-staff-positive-covid/index.html>.

26. On November 18, 2020, the Governor issued Executive Orders 2020-968 and 2020-969.

Executive Order 2020-968, which lasts for three weeks, closed indoor dining; limited capacity at theaters, venues, and similar establishments; cut capacities at gyms, fitness centers, and other recreational facilities; and mandated that office-based businesses cease in-person operations and provide telecommuting to the greatest extent possible.

27. Executive Order 2020-969 required schools to cease in-person instruction and transition to remote or virtual instruction beginning November 23, 2020. Elementary schools in non-red zone counties, where the risk of transmission in school is lower, may return to in-person instruction beginning December 7, 2020. Middle and high schools must remain in virtual instruction until 2021. The Order contains an exception permitting schools to provide in-person what KDE has deemed “targeted services,” which includes therapy and other assistance to vulnerable populations, and remedial instruction for those students falling behind during virtual instruction. This Order applies to public and private schools alike.

28. In light of the new stage in the pandemic, the Commonwealth had to take quick and decisive action just as it has done to combat the other two surges. The decision to require schools transition to remote or virtual instruction did not come easily.

29. The Commonwealth of Kentucky is not alone in its approach to schools. The CDC has compiled guidance for safely operating schools. To align with the guidance, Kentucky began tracking incidence rates per 100,000 residents, per county. *Exhibit 2*. For two weeks, the Governor urged communities in the red counties (>25 per 100,000 residents positive with COVID-19) to cease in-person instruction. Some ceased but some did not.

30. The CDC has used national data to develop school guidance with thresholds provided to categorize risk of disease transmission in schools. In this guidance, any county over 20 positive cases per 100,000 residents, the CDC classifies as a moderate risk of spread, 50-

200 positive cases per 100,000 is higher risk, and >200 per 100,000 is the highest risk. Every week, the White House Coronavirus Task Force provides Kentucky a report that includes the data necessary to apply this guidance. Applying the Nov. 15, 2020 White House report data, Kentucky has already met at least five of the eight highest risk indicators as developed by the CDC specific to schools. *Exhibit 3.*

31. The disease does not remain stagnant. When it reaches levels that the White House and Kentucky classify as red zone, the risk increases dramatically because there are so many infected persons in the community that the risk of exponential spread rapidly escalates. We have seen that in Kentucky where, now, nearly every county is a red zone; on October 26, when Red Zone Reduction began, only 55 counties met these criteria.
32. The risk of spread is also present at schools when they are open and operating. Schools are the cornerstone of many communities in the Commonwealth. A central tenet of public health science to reduce spread of disease is to keep people away from each other as much as possible to break the chain of transmission. Schools are high volume mixers of people – not just students, but teachers, administrators, janitorial staff, cafeteria staff, and parents coming and going dropping off children, supplies, etc. Additionally, students in grades 10 and above interact similar to adults, and some are adults at the age of 18. Moreover, facial coverings compliance can be difficult to maintain among children across an entire day of school, and every school must provide opportunities for children to eat and drink, during which time facial coverings cannot be worn.
33. On November 20, 2020, the Commonwealth of Kentucky had a positivity rate of 9.15%, and all but 7 counties in the red zone for incident rates. *Exhibit 2.* With disease as widespread as it is in Kentucky as indicated by local and state health departments, the CDC,

and the White House, the Commonwealth made the difficult decision to close in-person settings in which COVID-19 is the most likely to be transmitted, which include places where people congregate for long periods of time and may remove their face coverings.

34. The public health measures currently in place, including a pause of in-person instruction at this time, are supported by solid public health principles, expert public health assessment, extensive current data. Models show that at large gatherings like schools, there is a high likelihood that at least one individual has COVID-19. For example, a model built by Georgia Tech shows that, as of November 21, 2020, the odds that there is an individual with COVID-19 at a gathering with 100 people in Boyle County, Kentucky, are 95%.¹⁶ For reference, Danville Christian Academy has over 200 students, according to its Verified Complaint.

35. Kentucky is unusually vulnerable to the effects of spread at schools. An unusually high percentage of Kentucky children are cared for by their grandparents, and older individuals are at higher risk of severe illness or death from COVID-19.¹⁷ Moreover, Kentuckians have a high rate of comorbidities that are associated with severe illness or death from COVID-19, including diabetes, heart disease, and respiratory conditions. As a result, Kentucky must take strong steps to prevent additional deaths.

36. Danville Christian Academy has had 4 total student cases (3 in the past 14 days) and 1 staff member case. *Exhibit 4* at 6. This is one school; the remaining 26 pages of *Exhibit 4* illustrate the numbers within the schools of the Commonwealth. If the virus vanished with just these numbers then all would be well, but the virus does not just vanish without

¹⁶ <https://covid19risk.biosci.gatech.edu/>.

¹⁷ Indeed, Kentucky has the highest rate in the nation of children living with relatives other than their parents. <https://kyyouth.org/new-data-shows-increasing-number-of-kentucky-children-living-with-relative-caregivers/>.

implementing measures to stop the spread. At this time when fatigue is high and Thanksgiving approaching the potential for exponential rise if schools and other indoor facilities operated without restriction could be catastrophic.


37. The need for new Executive Orders became apparent after weeks of urging the Commonwealth to follow recommendations, because compliance with the guidance was diminishing. As such, the Commonwealth needed more aggressive and broad measures that have a higher likelihood of compliance at scale. We want our children to learn and prosper in the wonderful schools across this Commonwealth, but pausing in-person instruction is necessary. The Governor and the Commonwealth must meet with aggressive spread of disease with equally aggressive mitigation measures.

38. As the Commonwealth fights this brutal third surge of COVID-19, we must meet the moment with increasing vigilance and resolve to apply sound science and public health measures, adhere to those measures across the Commonwealth, and flatten the curve once again.

Further declarant sayeth naught.

Dated: November 22, 2020

To the best of my knowledge, I declare that the statements herein are true under penalty of perjury pursuant to 28 U.S.C. § 1746.


Steven J. Stack, M.D.



COVID-19 Results Briefing: Kentucky

November 19, 2020

This document contains summary information on the latest projections from the IHME model on COVID-19 in Kentucky. The model was run on November 18, 2020.

Current situation

- Daily reported cases in the last week increased to 1,800 per day on average compared to 1,700 the week before (Figure 1).
- Daily deaths in the last week increased to 10 per day on average compared to 10 the week before (Figure 2). This makes COVID-19 the number 2 cause of death in Kentucky this week (Table 1).
- Effective R, computed using cases, hospitalizations, and deaths, is greater than 1 in 34 states (Figure 3). The Effective R in Kentucky on November 05 was 1.11.
- We estimated that 8% of people in Kentucky have been infected as of November 16 (Figure 4).
- The daily death rate is greater than 4 per million in Arkansas, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Rhode Island, South Dakota, Tennessee, West Virginia, Wisconsin, Wyoming (Figure 6).

Trends in drivers of transmission

- In the last week, new mandates have been imposed in North Dakota. Mandates have been lifted in California (Table 2).
- Mobility last week was 19% lower than the pre-COVID-19 baseline (Figure 8). Mobility was near baseline (within 10%) in Alabama, Mississippi, Oklahoma, South Dakota, Wyoming. Mobility was lower than 30% of baseline in California, the District of Columbia, Hawaii, Massachusetts, New Mexico, New York, Vermont.
- As of November 16 we estimated that 67% of people always wore a mask when leaving their home (Figure 9) compared to 67% last week. Mask use was lower than 50% in South Dakota, Wyoming.
- There were 482 diagnostic tests per 100,000 people on November 16 (Figure 10).

Projections

- In our **reference scenario**, which represents what we think is most likely to happen, our model projects 5,000 cumulative deaths on March 1, 2021. This represents 3,000 additional deaths from November 16 to March 1st (Figure 12). Daily deaths will peak at 70 on February 7, 2021.



- The reference scenario assumes that 40 states will re-impose mandates by March 1, 2021.
- If universal mask coverage (95%) were attained in the next week, our model projects 1,000 fewer cumulative deaths compared to the reference scenario on March 1, 2021.
- Under our **mandates easing scenario**, our model projects 7,000 cumulative deaths on March 1, 2021.
- Figure 18 compares our reference scenario forecasts to other publicly archived models. Forecasts are widely divergent.
- 42 states will have high or extreme stress on hospital beds at some point in December through February (Figure 19). 43 states will have high or extreme stress on ICU capacity in December through February (Figure 20).

Model updates

We have substantially revised the infection-fatality rate (the IFR) used in the model. To date, we had used an infection-fatality rate that was derived from an analysis of population representative antibody surveys where we disaggregated prevalence by age and matched COVID-19 death rates. The age-specific IFR from this analysis was assumed to be the same across locations and time.

We have now accumulated considerable empirical evidence that suggests that 1) the IFR has been declining since March/April due to improvements in the clinical management of patients, 2) the IFR varies as a function of the level of obesity in a community.

The evidence supporting these observations includes:

- An analysis of detailed clinical records of more than 15,000 individuals from a COVID-19 registry organized by the American Heart Association. This registry covers patients in more than 150 hospitals. Our analysis suggests that after controlling for age, sex, comorbidities and disease severity at admission, the hospital-fatality rate has declined by about 30% since March/April.
- An analysis of more than 250,000 individuals admitted to hospitals in Brazil with COVID-19 shows that after controlling for age, sex, obesity, and oxygenation at admission, the hospital-fatality rate has declined by about 30% since March/April.
- An analysis of age-standardized IFRs from more than 300 surveys also suggests that the population-level trends in the IFR are consistent with a 30% decline since March/April. These data also suggest that the prevalence of obesity at the population level is associated with a higher IFR and that the magnitude of the effect is similar to that found in the individual-level analysis.



Based on these empirical findings, we have switched to a new estimated infection-fatality rate. The new IFR varies over time (declining since March/April by approximately 0.19% per day until the beginning of September), varies across locations as a function of obesity prevalence, and varies across locations (as before) as a function of the population distribution by age. The implication of lower IFRs over time is that for a given number of observed deaths there are more cumulative infections.

For all COVID-19 resources at IHME, visit <http://www.healthdata.org/covid>. Questions? Requests? Feedback? Please contact us at <https://www.healthdata.org/covid/contact-us>.



Current situation

Figure 1. Reported daily COVID-19 cases

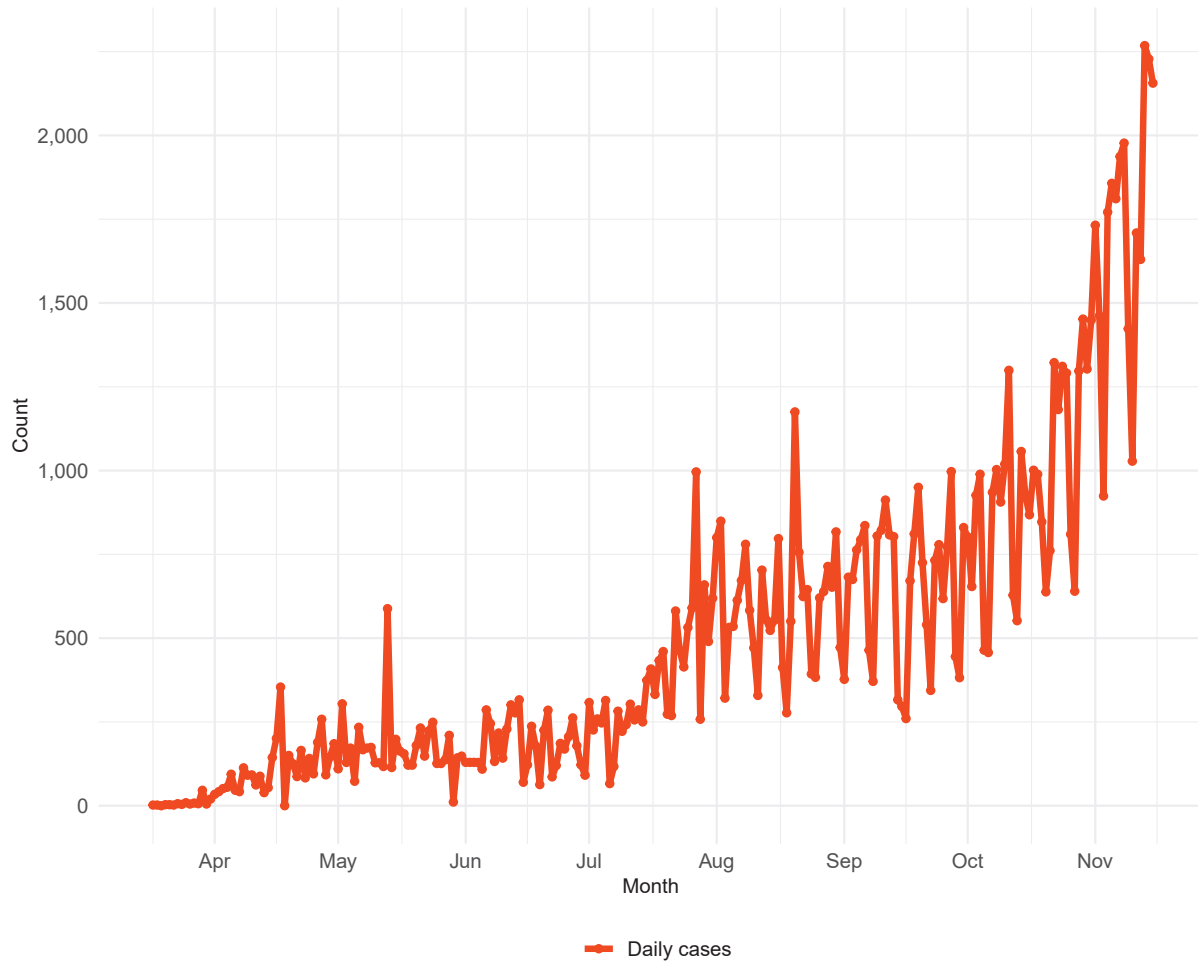
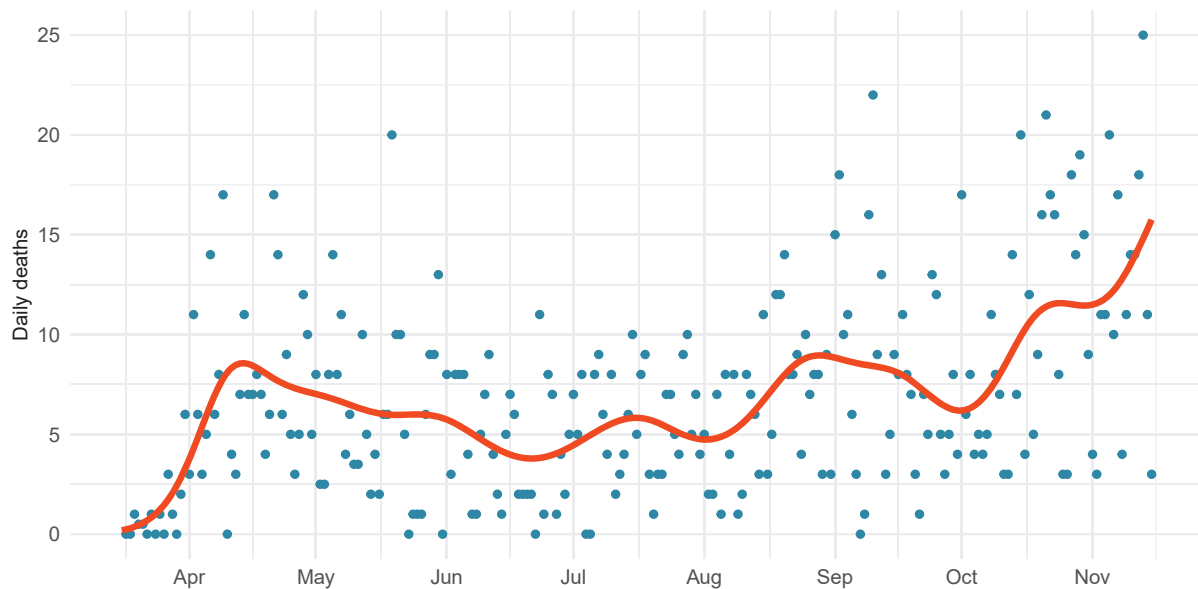




Table 1. Ranking of COVID-19 among the leading causes of mortality this week, assuming uniform deaths of non-COVID causes throughout the year

Cause name	Weekly deaths	Ranking
Ischemic heart disease	177	1
COVID-19	104	2
Tracheal, bronchus, and lung cancer	88	3
Chronic obstructive pulmonary disease	81	4
Stroke	60	5
Alzheimer's disease and other dementias	37	6
Chronic kidney disease	37	7
Drug use disorders	36	8
Colon and rectum cancer	29	9
Lower respiratory infections	29	10

Figure 2a. Reported daily COVID-19 deaths.



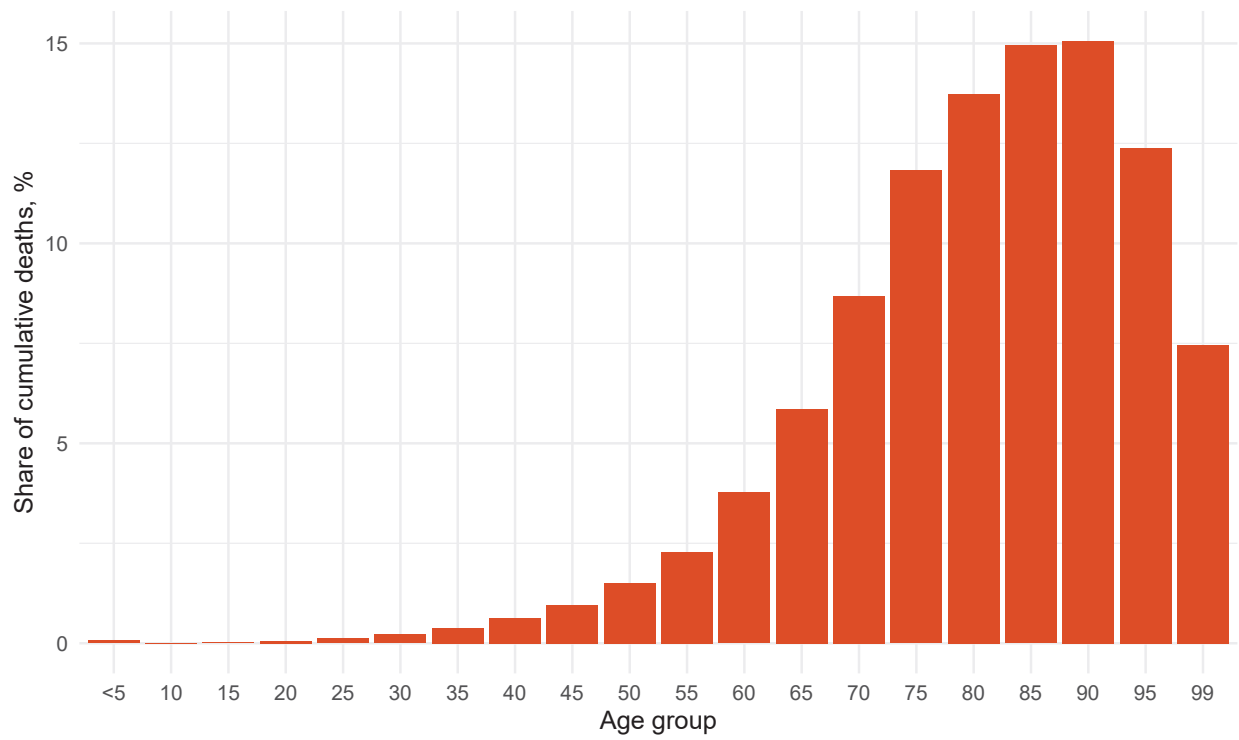
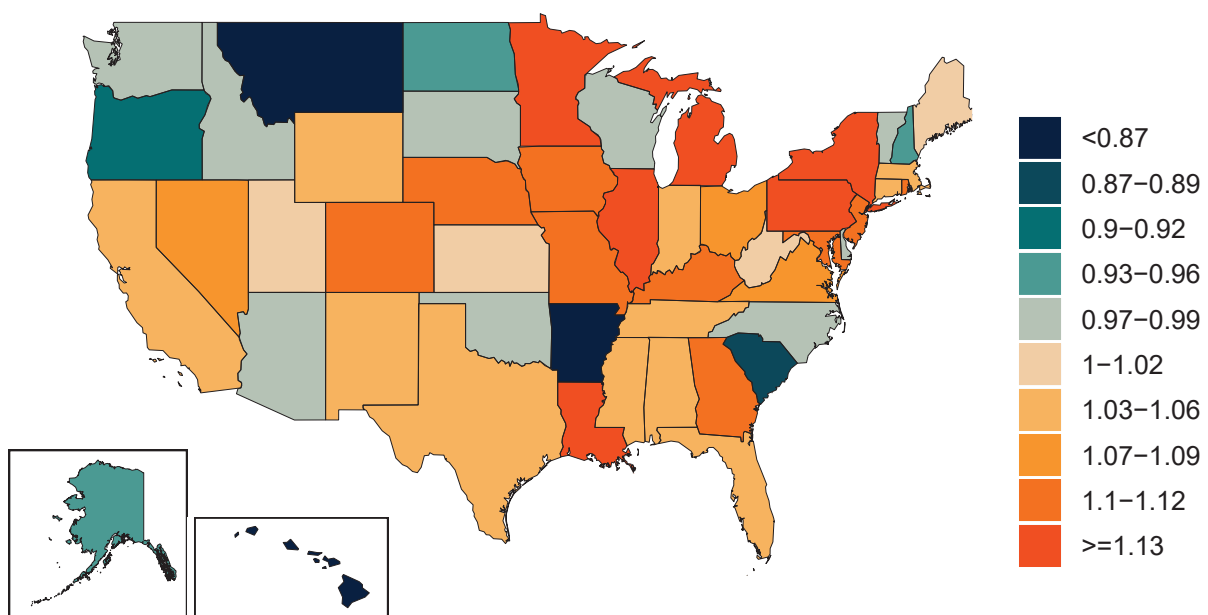
**Figure 2b.** Estimated cumulative deaths by age group**Figure 3.** Mean effective R on November 05, 2020. The estimate of effective R is based on the combined analysis of deaths, case reporting and hospitalizations where available. Current reported cases reflect infections 11-13 days prior so estimates of effective R can only be made for the recent past. Effective R less than 1 means that transmission should decline all other things being held the same.

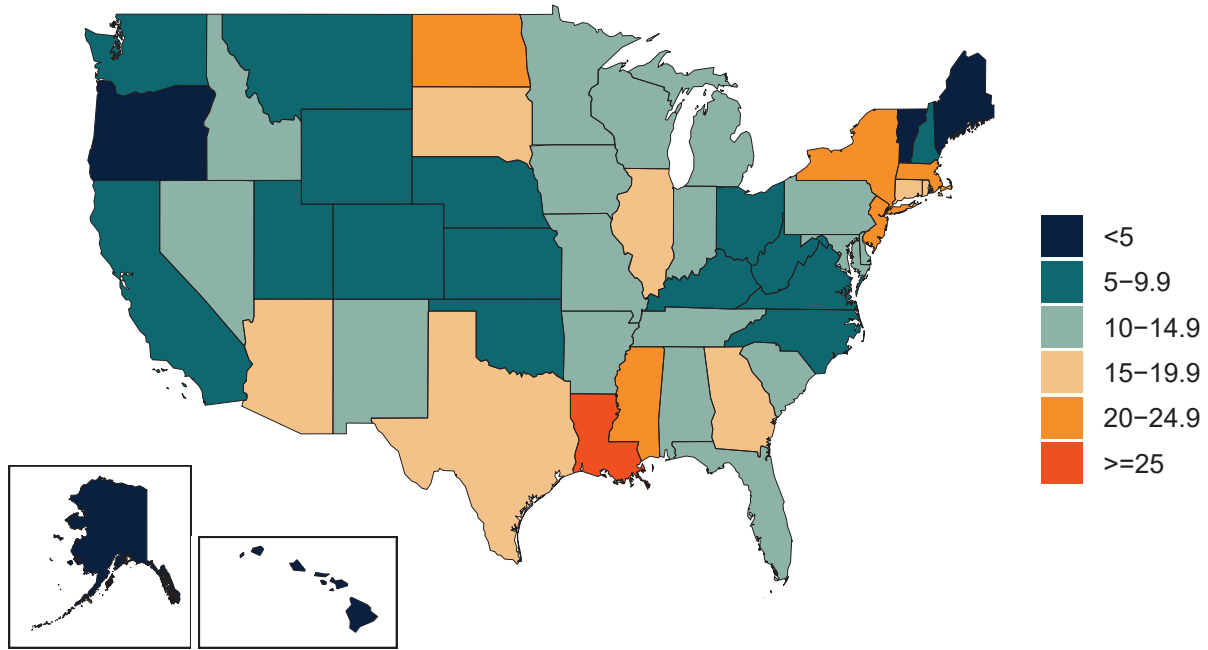
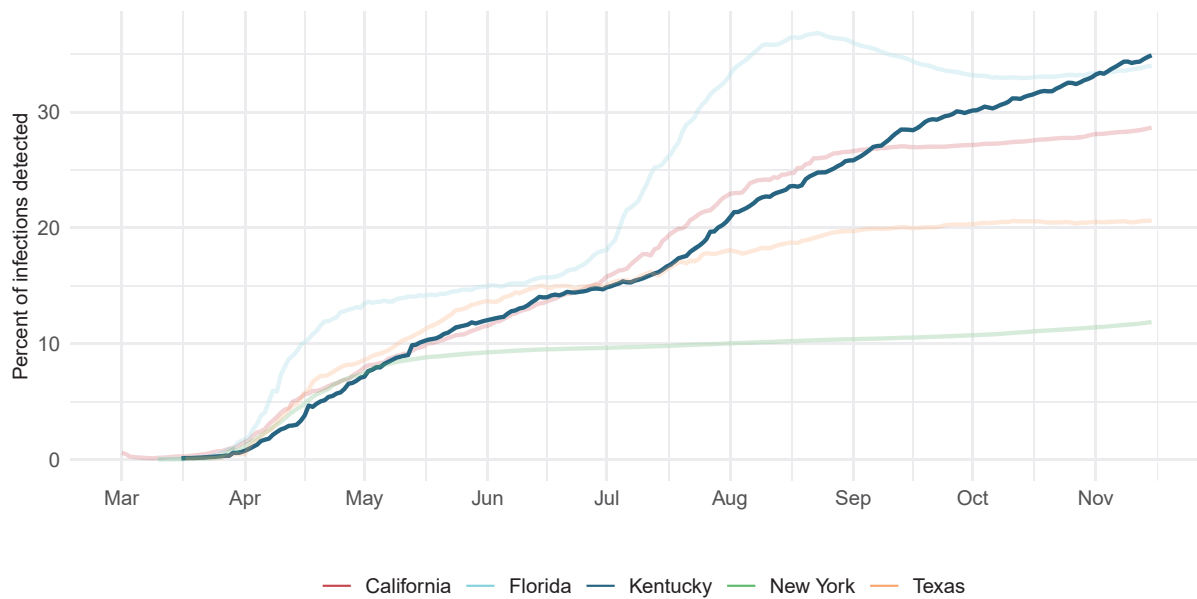
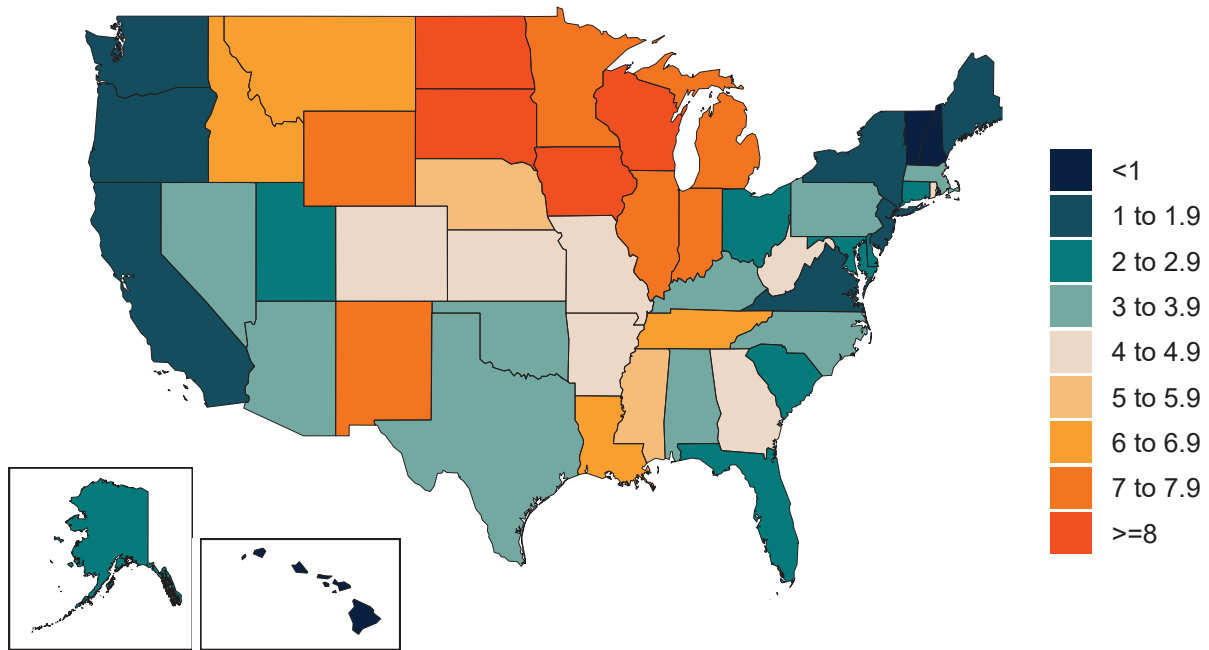
Figure 4. Estimated percent of the population infected with COVID-19 on November 16, 2020**Figure 5.** Percent of COVID-19 infections detected. This is estimated as the ratio of reported daily COVID-19 cases to estimated daily COVID-19 infections based on the SEIR disease transmission model.



Figure 6. Daily COVID-19 death rate per 1 million on November 16, 2020





Kentucky

CRITICAL DRIVERS

Critical drivers

Table 2. Current mandate implementation

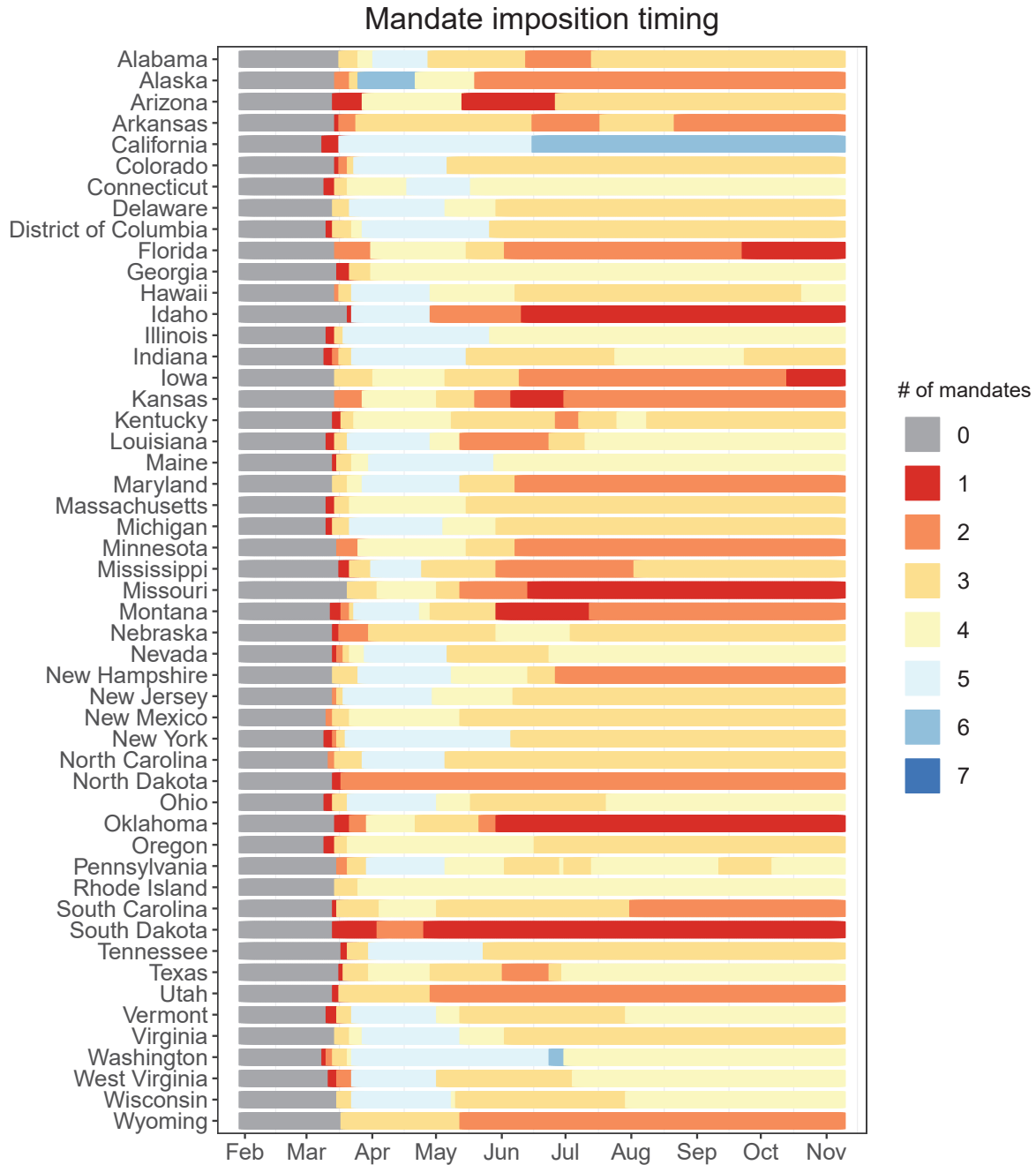
	All nonessential businesses closed	Any businesses restricted	Any gatherings restricted	Mask use	School closure	Stay home order	Travel limits
Alabama							
Alaska							
Arizona							
Arkansas							
California							
Colorado							
Connecticut							
Delaware							
District of Columbia							
Florida							
Georgia							
Hawaii							
Idaho							
Illinois							
Indiana							
Iowa							
Kansas							
Kentucky							
Louisiana							
Maine							
Maryland							
Massachusetts							
Michigan							
Minnesota							
Mississippi							
Missouri							
Montana							
Nebraska							
Nevada							
New Hampshire							
New Jersey							
New Mexico							
New York							
North Carolina							
North Dakota							
Ohio							
Oklahoma							
Oregon							
Pennsylvania							
Rhode Island							
South Carolina							
South Dakota							
Tennessee							
Texas							
Utah							
Vermont							
Virginia							
Washington							
West Virginia							
Wisconsin							
Wyoming							

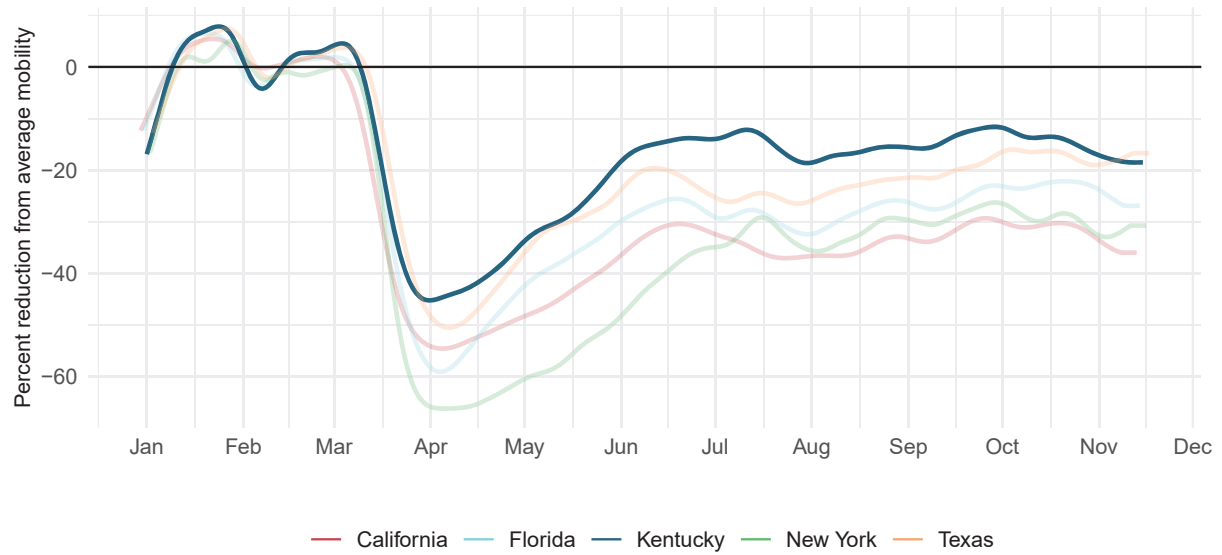
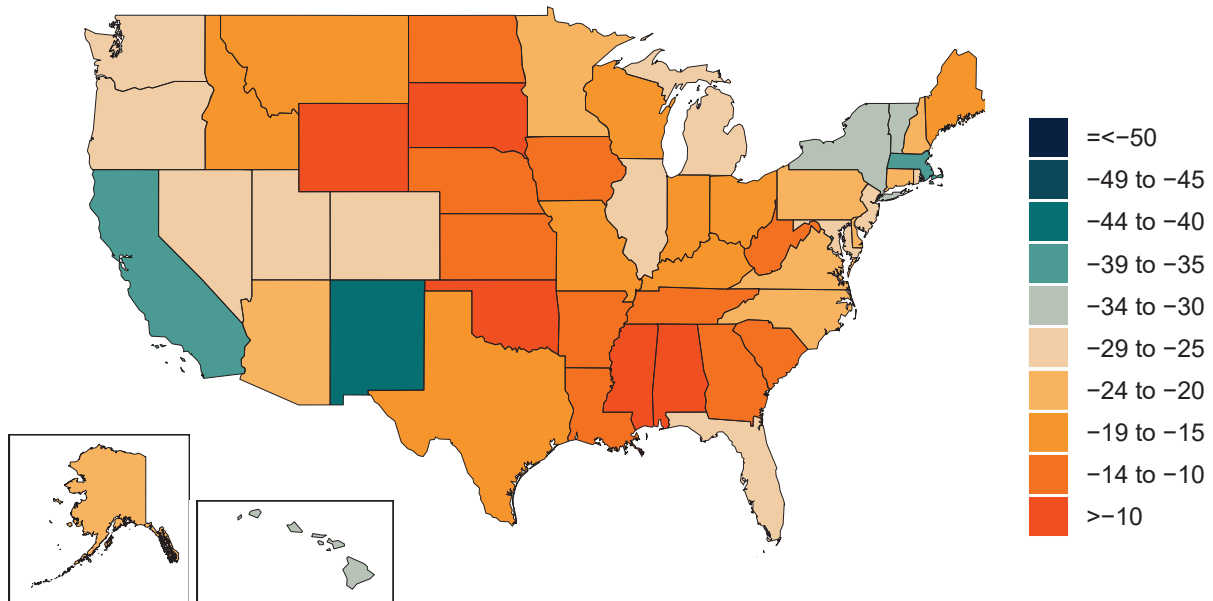
Legend: ■ Mandate in place ■ No mandate



Kentucky

CRITICAL DRIVERS

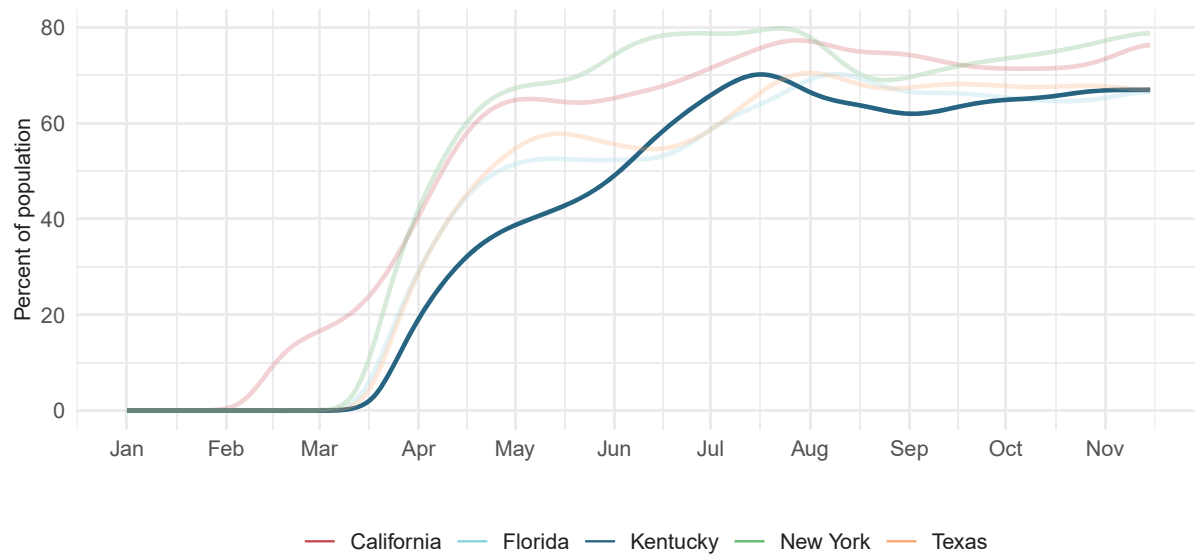
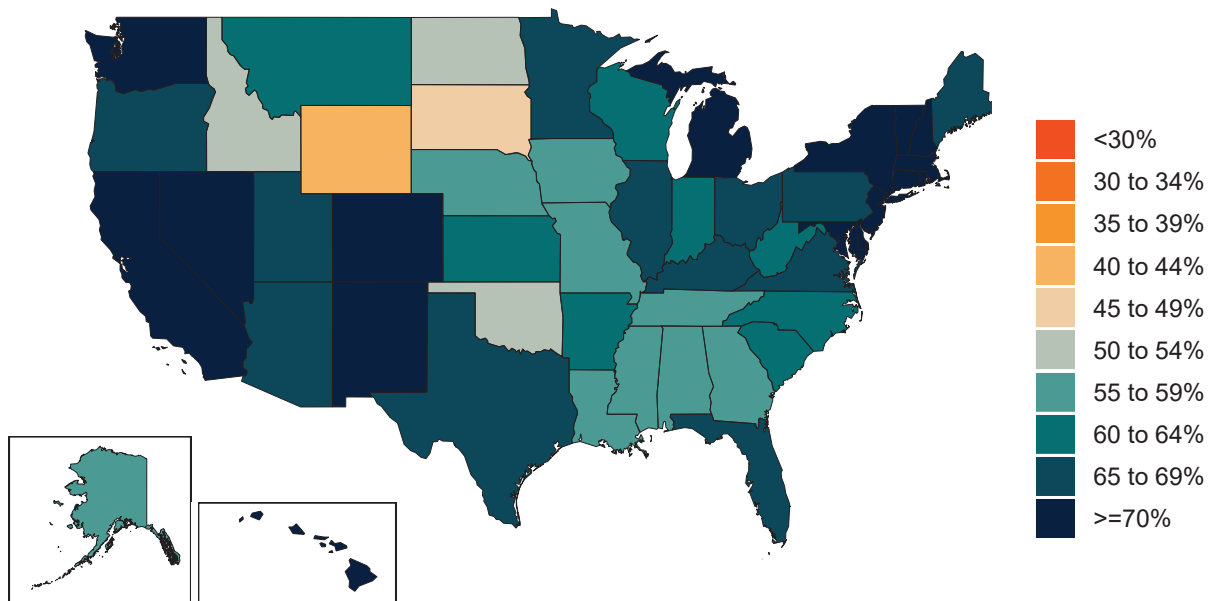
Figure 7. Total number of social distancing mandates (including mask use)

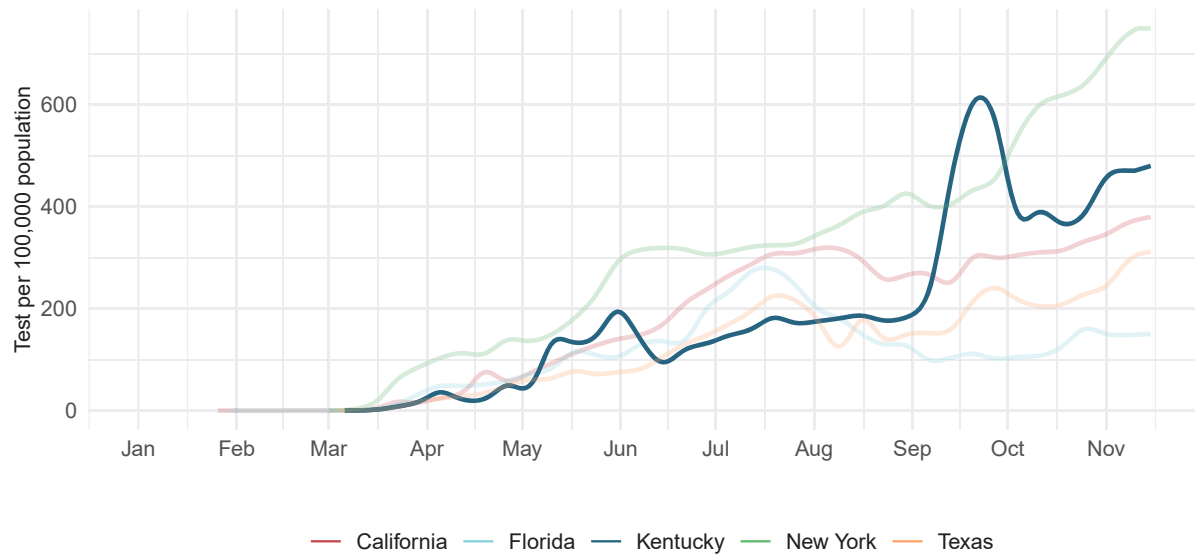
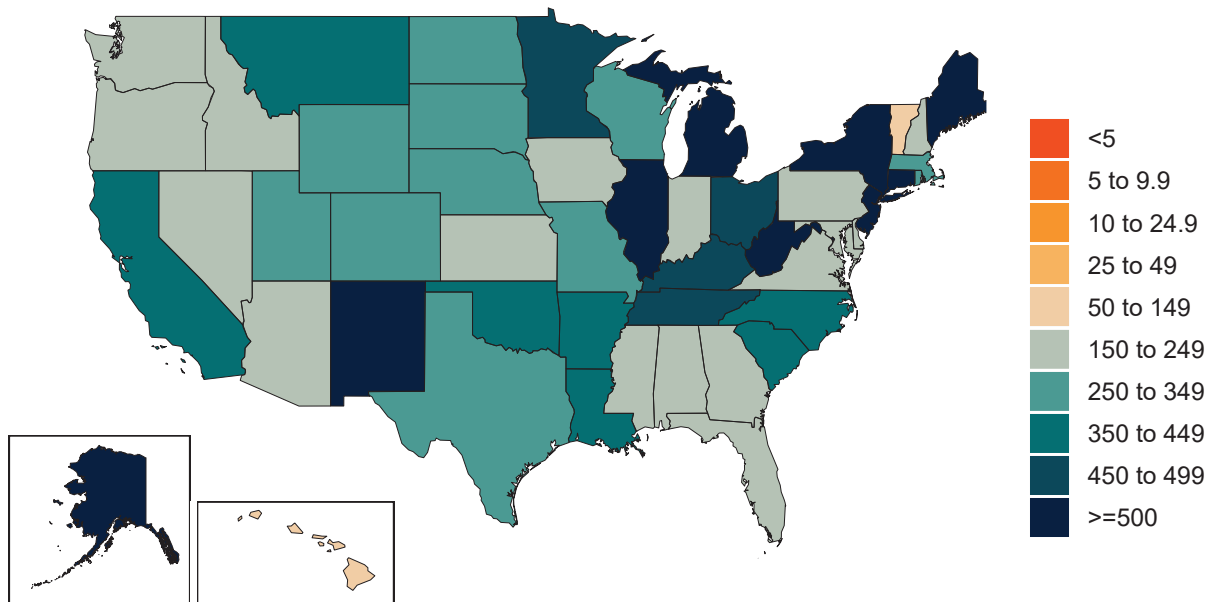
**Figure 8a.** Trend in mobility as measured through smartphone app use compared to January 2020 baseline**Figure 8b.** Mobility level as measured through smartphone app use compared to January 2020 baseline (percent) on November 16, 2020



Kentucky

CRITICAL DRIVERS

Figure 9a. Trend in the proportion of the population reporting always wearing a mask when leaving home**Figure 9b.** Proportion of the population reporting always wearing a mask when leaving home on November 16, 2020

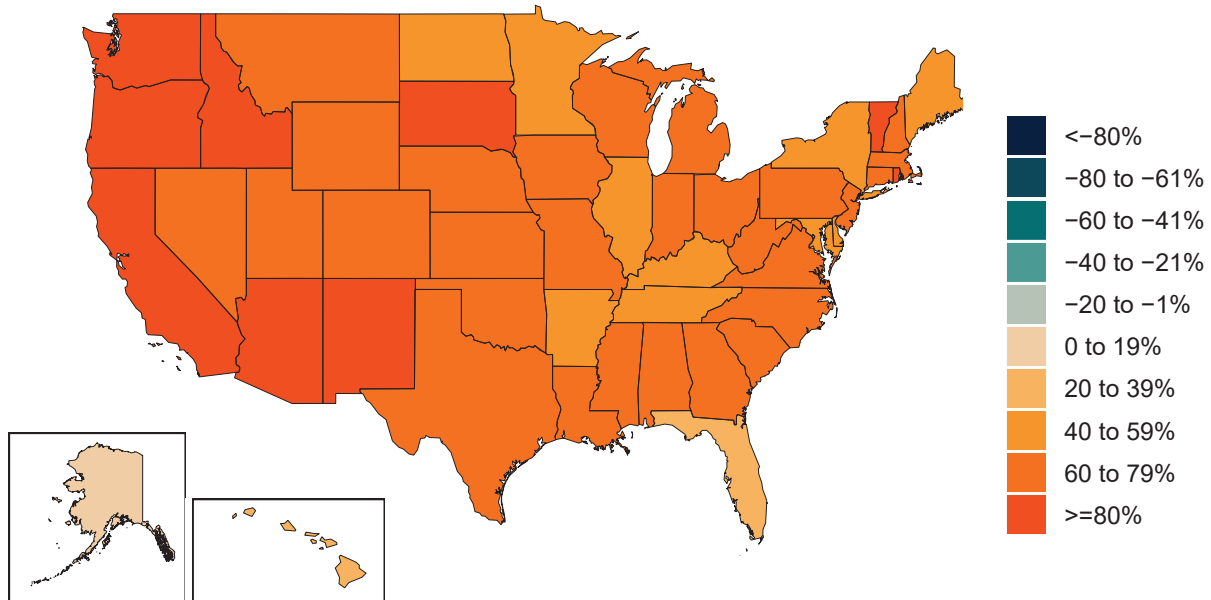
**Figure 10a.** Trend in COVID-19 diagnostic tests per 100,000 people**Figure 10b.** COVID-19 diagnostic tests per 100,000 people on November 11, 2020



Kentucky

CRITICAL DRIVERS

Figure 11. Increase in the risk of death due to pneumonia on February 1 compared to August 1





Projections and scenarios

We produce three scenarios when projecting COVID-19. The reference scenario is our forecast of what we think is most likely to happen. We assume that if the daily mortality rate from COVID-19 reaches 8 per million, social distancing (SD) mandates will be re-imposed. The mandate easing scenario is what would happen if governments continue to ease social distancing mandates with no re-imposition. The universal mask mandate scenario is what would happen if mask use increased immediately to 95% and social distancing mandates were re-imposed at 8 deaths per million.

Figure 12. Cumulative COVID-19 deaths until March 01, 2021 for three scenarios.

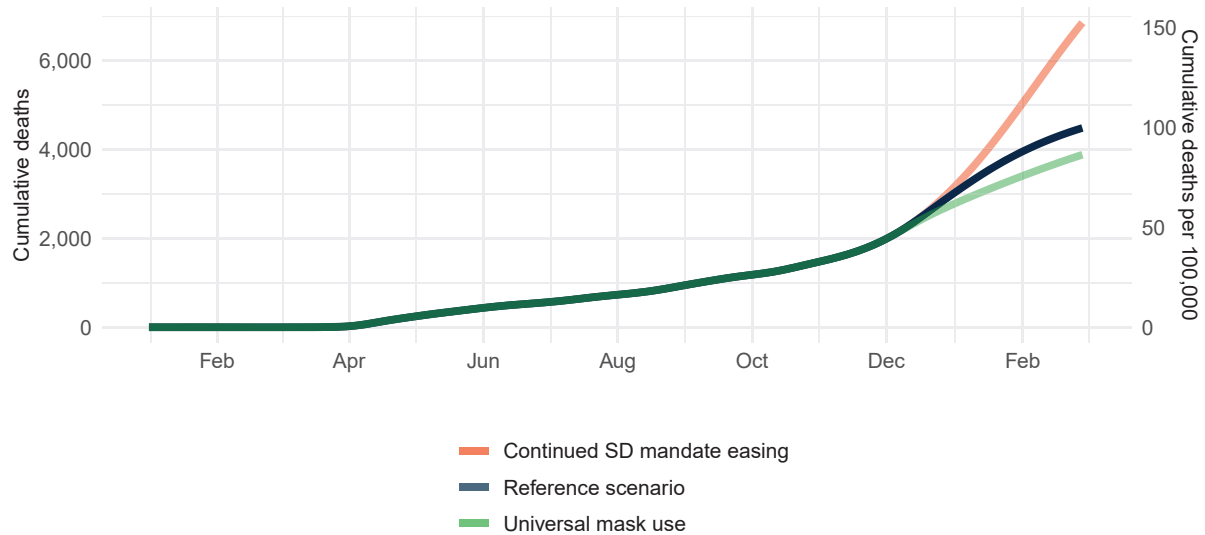


Fig 13. Daily COVID-19 deaths until March 01, 2021 for three scenarios.

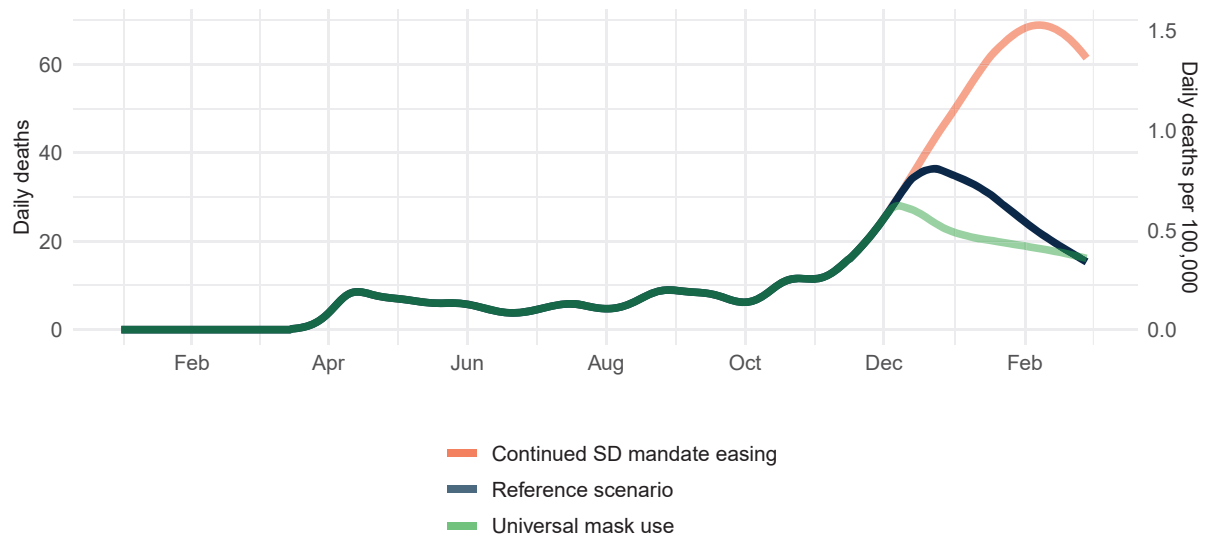




Fig 14. Daily COVID-19 infections until March 01, 2021 for three scenarios.

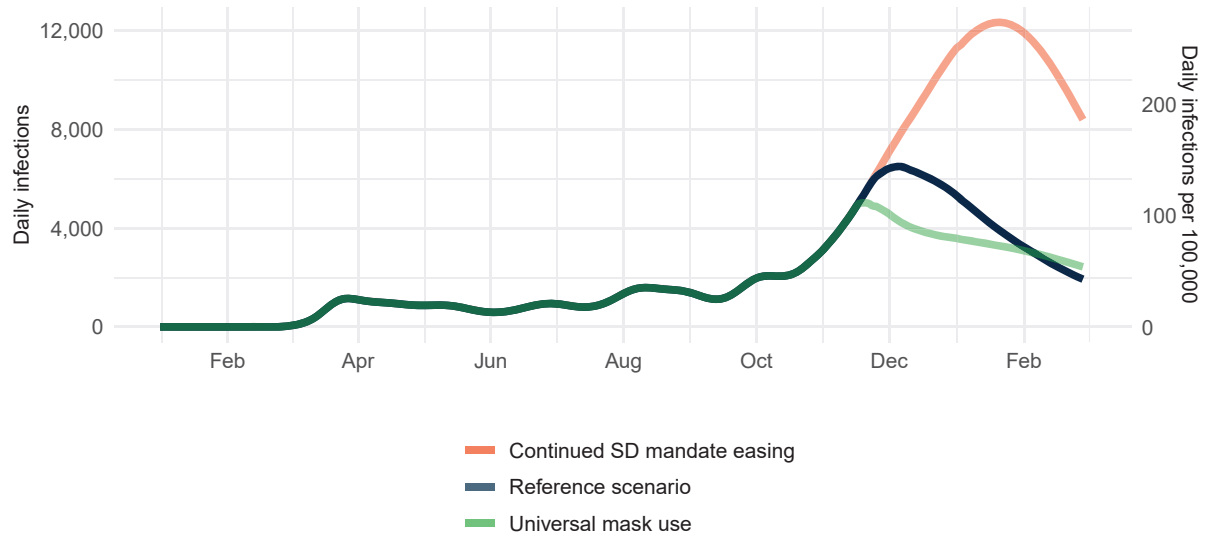




Fig 15. Month of assumed mandate re-implementation. (Month when daily death rate passes 8 per million, when reference scenario model assumes mandates will be re-imposed.)

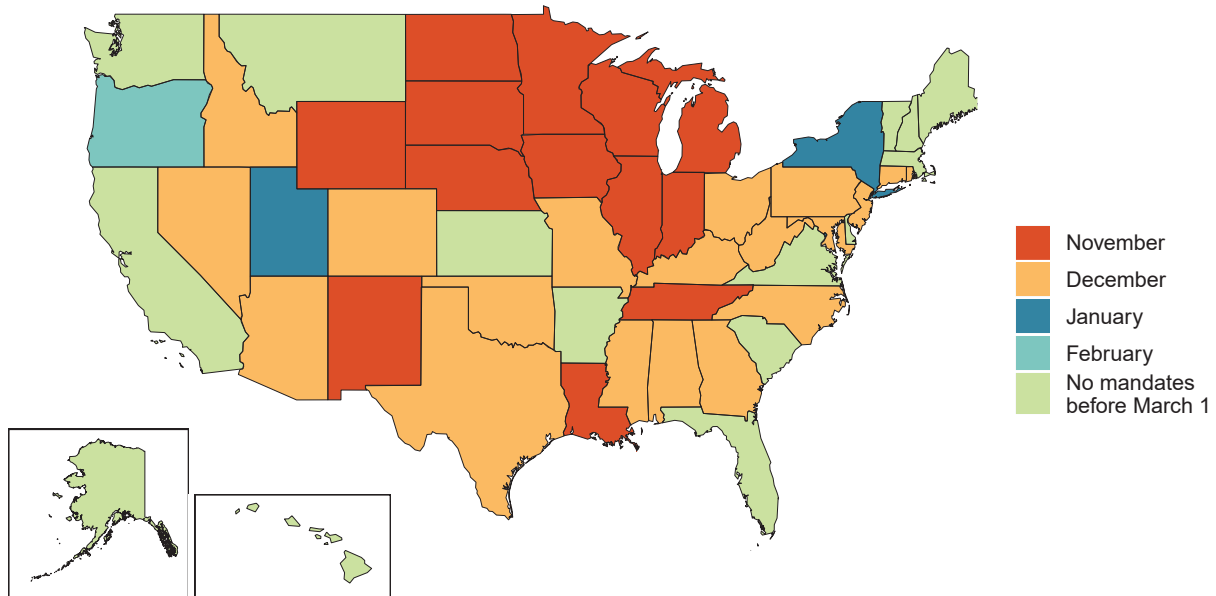




Figure 16. Forecasted percent infected with COVID-19 on March 01, 2021

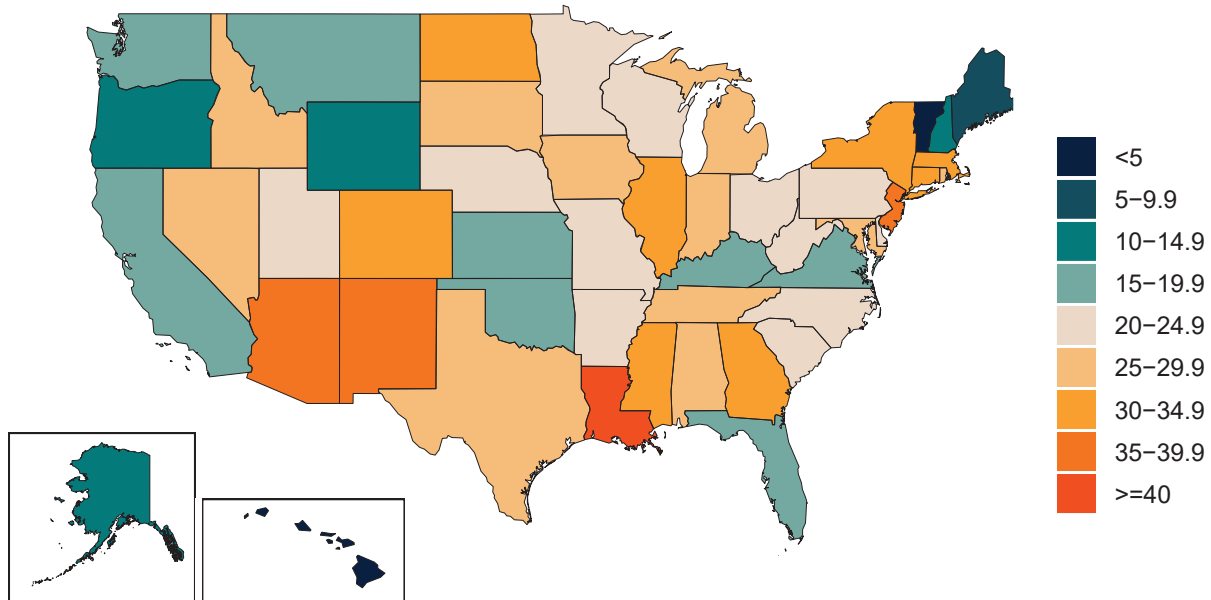


Figure 17. Daily COVID-19 deaths per million forecasted on March 01, 2021 in the reference scenario

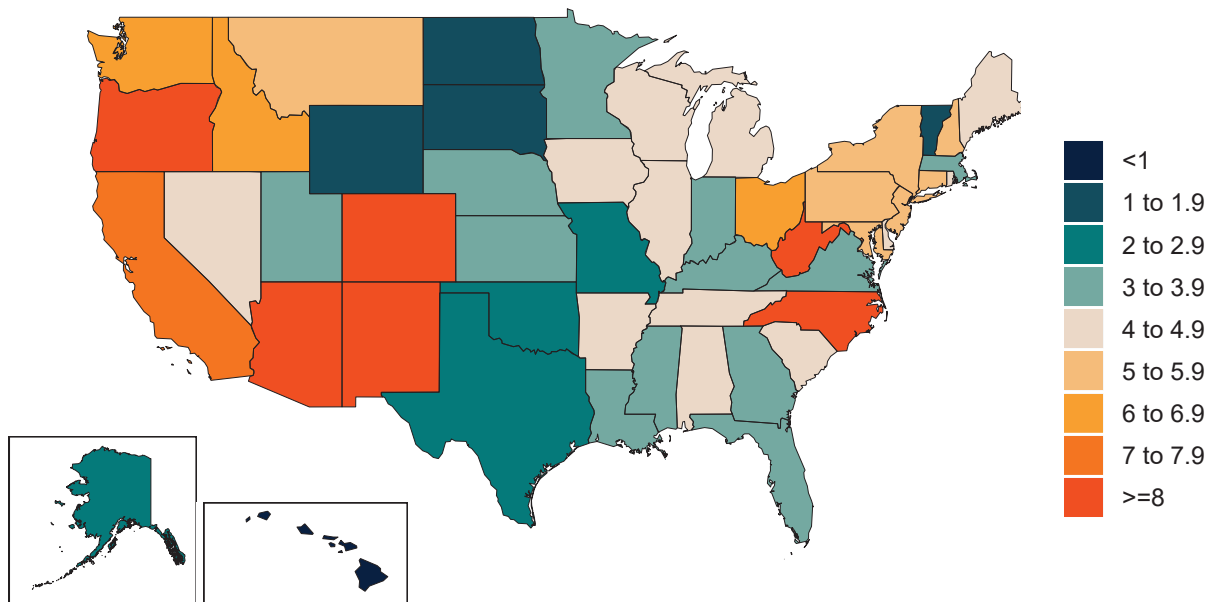




Figure 18. Comparison of reference model projections with other COVID modeling groups. For this comparison, we are including projections of daily COVID-19 deaths from other modeling groups when available: Delphi from the Massachusetts Institute of Technology (Delphi; <https://www.covidanalytics.io/home>), Imperial College London (Imperial; <https://www.covidsim.org>), The Los Alamos National Laboratory (LANL; <https://covid-19.bsvgateway.org/>), and the SI-KJalpha model from the University of Southern California (SIKJalpha; <https://github.com/scc-usc/ReCOVER-COVID-19>). Daily deaths from other modeling groups are smoothed to remove inconsistencies with rounding. Regional values are aggregates from available locations in that region.

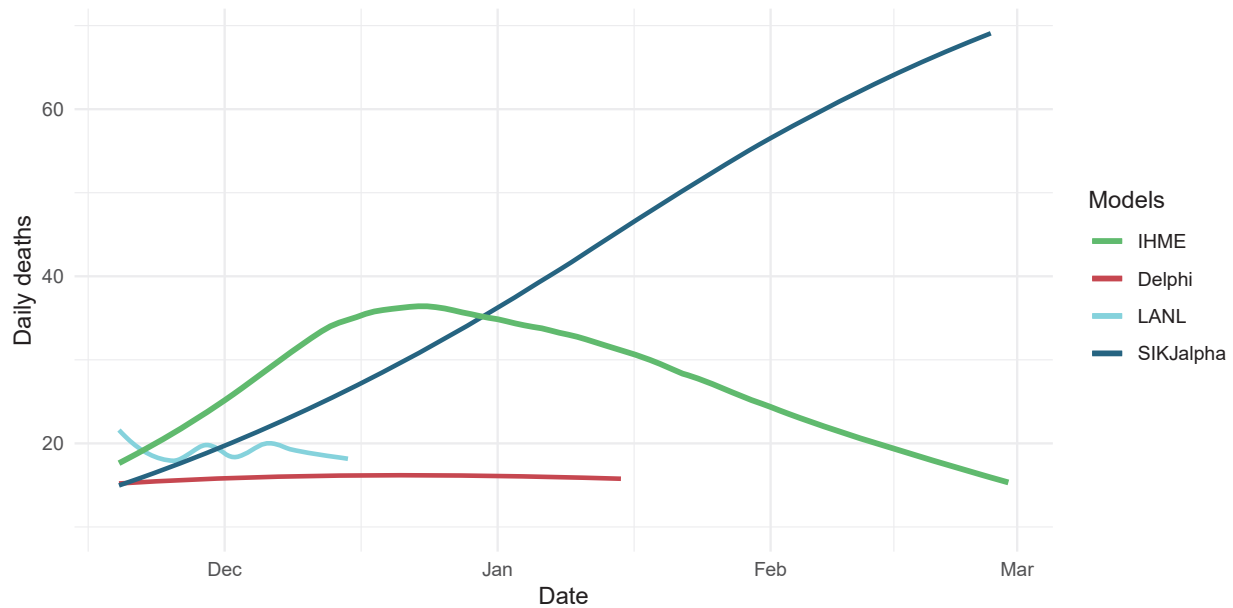




Figure 19. The estimated inpatient hospital usage is shown over time. The percent of hospital beds occupied by COVID-19 patients is color coded based on observed quantiles of the maximum proportion of beds occupied by COVID-19 patients. Less than 5% is considered *low stress*, 5-9% is considered *moderate stress*, 10-19% is considered *high stress* and greater than 20% is considered *extreme stress*.

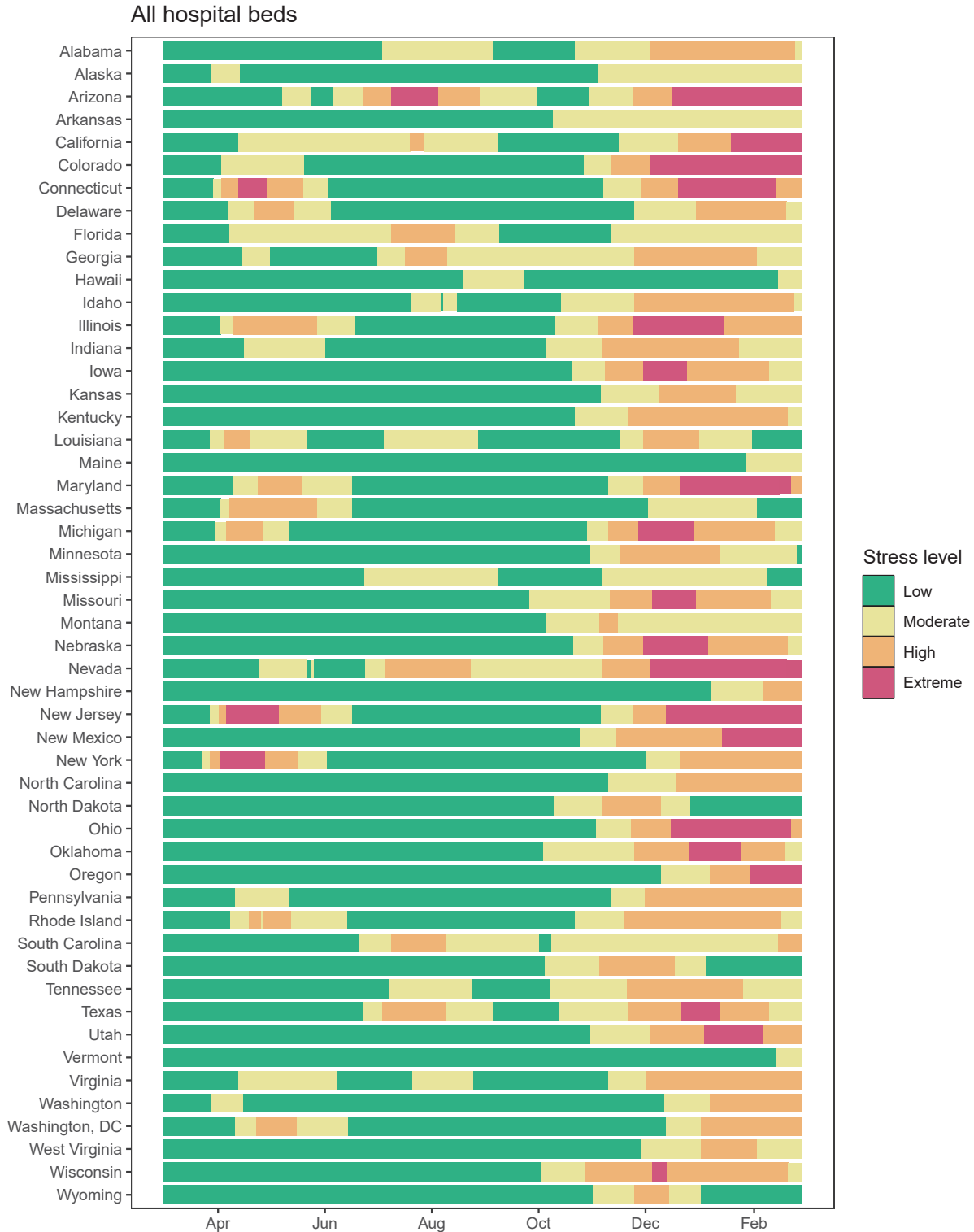




Figure 20. The estimated intensive care unit (ICU) usage is shown over time. The percent of ICU beds occupied by COVID-19 patients is color coded based on observed quantiles of the maximum proportion of ICU beds occupied by COVID-19 patients. Less than 10% is considered *low stress*, 10-29% is considered *moderate stress*, 30-59% is considered *high stress* and greater than 60% is considered *extreme stress*.

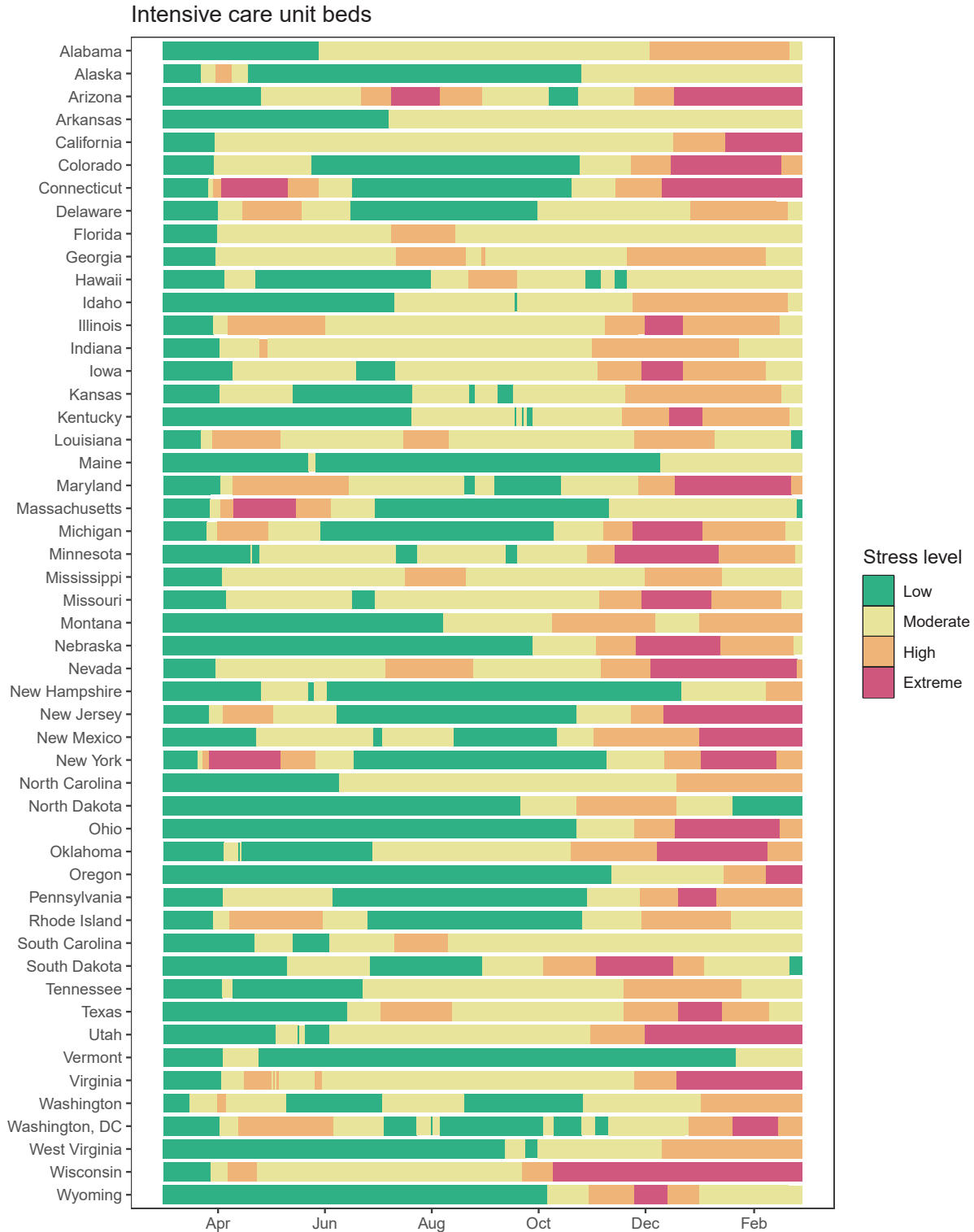




Table 3. Ranking of COVID-19 among the leading causes of mortality in the full year 2020. Deaths from COVID-19 are projections of cumulative deaths on Jan 1, 2021 from the reference scenario. Deaths from other causes are from the Global Burden of Disease study 2019 (rounded to the nearest 100).

Cause name	Annual deaths	Ranking
Ischemic heart disease	9,200	1
Tracheal, bronchus, and lung cancer	4,600	2
Chronic obstructive pulmonary disease	4,200	3
Stroke	3,100	4
COVID-19	3,032	5
Alzheimer's disease and other dementias	1,900	6
Chronic kidney disease	1,900	7
Drug use disorders	1,900	8
Colon and rectum cancer	1,500	9
Lower respiratory infections	1,500	10

Table 4. Table of the number of deaths at varying levels of the cumulative percent of the population that is infected with COVID-19. The infection fatality rate can be used to figure out how many people may eventually die from COVID-19 before a community arrives at herd immunity. Since we do not know the level at which herd immunity may be reached for COVID-19, the table below shows the total number of deaths that would be expected in Kentucky for various levels of herd immunity. These estimates assume that there does not exist an effective vaccine and that no significant improvements in treatment will be made. We estimated that the all age infection fatality ratio of November 18, 2020 in Kentucky was 0.6%.

Cumulative incidence	Deaths
30%	8,000
35%	9,000
40%	10,000
45%	11,000
50%	13,000
55%	14,000
60%	15,000
65%	16,000
70%	18,000
75%	19,000
80%	20,000
85%	21,000
90%	23,000
95%	24,000



Recognition and thanks

Mask data sources:

PREMISE; Facebook Global symptom survey (This research is based on survey results from University of Maryland Social Data Science Center) and the Facebook United States symptom survey (in collaboration with Carnegie Mellon University); Kaiser Family Foundation; YouGov COVID-19 Behaviour Tracker survey.

A note of thanks:

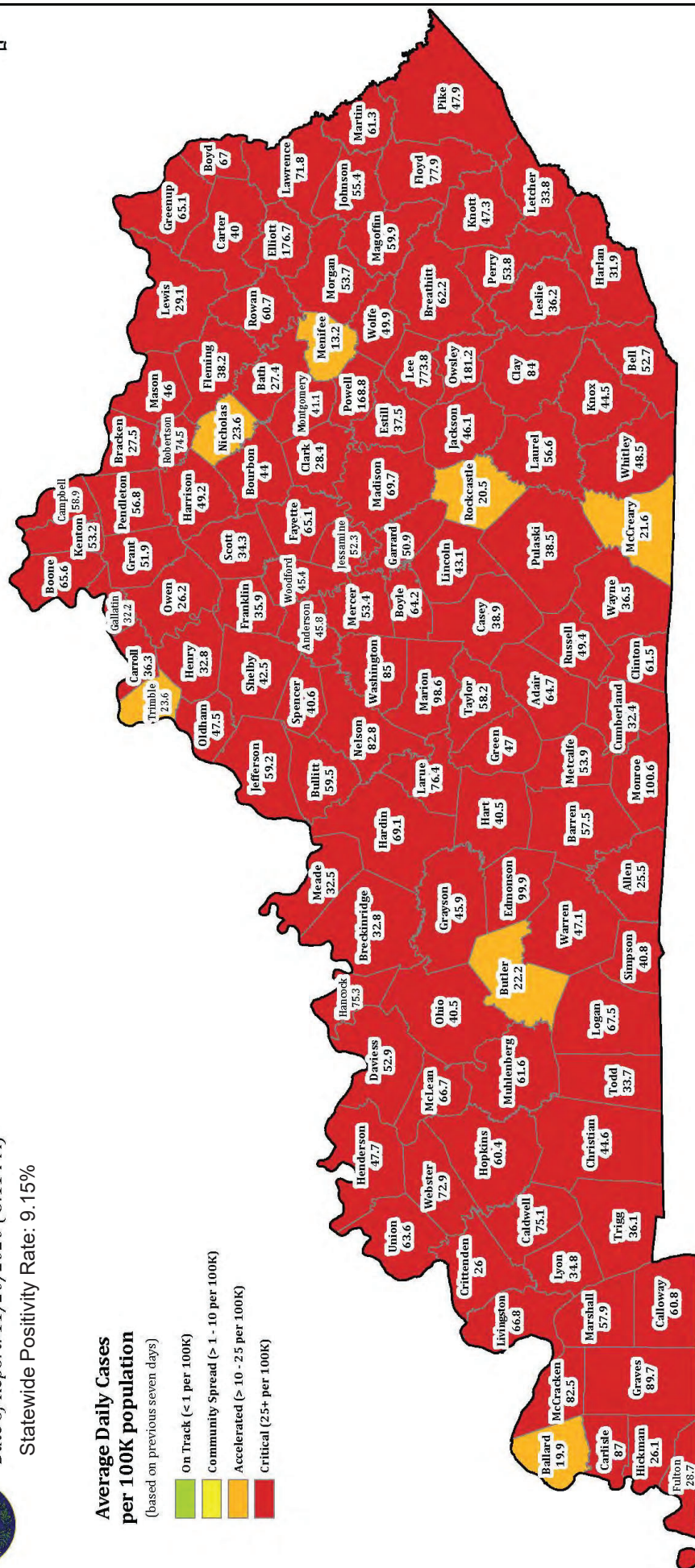
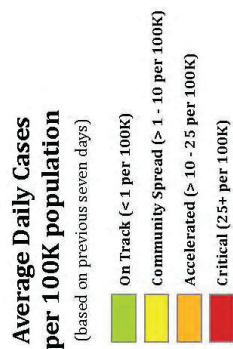
We would like to extend a special thanks to the Pan American Health Organization (PAHO) for key data sources; our partners and collaborators in Argentina, Brazil, Bolivia, Chile, Colombia, Cuba, the Dominican Republic, Ecuador, Egypt, Honduras, Israel, Japan, Malaysia, Mexico, Moldova, Panama, Peru, the Philippines, Russia, Serbia, South Korea, Turkey, and Ukraine for their support and expert advice; and to the tireless data collection and collation efforts of individuals and institutions throughout the world.

In addition, we wish to express our gratitude for efforts to collect social distancing policy information in Latin America to University of Miami Institute for Advanced Study of the Americas (Felicia Knaul, Michael Touchton), with data published here: <http://observcovid.miami.edu/>; Fundación Mexicana para la Salud (Héctor Arreola-Ornelas) with support from the GDS Services International: Tómatelo a Pecho A.C.; and Centro de Investigaciones en Ciencias de la Salud, Universidad Anáhuac (Héctor Arreola-Ornelas); Lab on Research, Ethics, Aging and Community-Health at Tufts University (REACH Lab) and the University of Miami Institute for Advanced Study of the Americas (Thalia Porteny).

Further, IHME is grateful to the Microsoft AI for Health program for their support in hosting our COVID-19 data visualizations on the Azure Cloud. We would like to also extend a warm thank you to the many others who have made our COVID-19 estimation efforts possible.

Statewide Positivity Rate: 9.15%

Statewide Positivity Rate: 9.15%



Data Source: Kentucky Department for Public Health

CDC indicators and thresholds for risk of introduction and transmission of COVID-19 in schools

INDICATORS	Lowest risk of transmission in schools	Lower risk of transmission in schools	Moderate risk of transmission in schools	Higher risk of transmission in schools	Highest risk of transmission in schools
CORE INDICATORS					
Number of new cases per 100,000 persons within the last 14 days*	<5	5 to <20	20 to <50	50 to ≤ 200	>200
Percentage of RT-PCR tests that are positive during the last 14 days**	<3%	3% to <5%	5% to <8%	8% to ≤ 10%	>10%
<p>Ability of the school to implement 5 key mitigation strategies:</p> <ul style="list-style-type: none"> • Consistent and correct use of masks • Social distancing to the largest extent possible • Hand hygiene and respiratory etiquette • Cleaning and disinfection • Contact tracing in collaboration with local health department <p>Schools should adopt the additional mitigation measures outlined below to the extent possible, practical and feasible.</p>	Implemented all 5 strategies correctly and consistently	Implemented all 5 strategies correctly but inconsistently	Implemented 3-4 strategies correctly and consistently	Implemented 1-2 strategies correctly and consistently	Implemented no strategies
SECONDARY INDICATORS					
Percent change in new cases per 100,000 population during the last 7 days compared with the previous 7 days (negative values indicate improving trends)	<-10%	-10% to <-5%	-5% to <0%	0% to ≤ 10%	>10%
Percentage of hospital inpatient beds in the community that are occupied***	<80%	<80%	80 to 90%	>90%	>90%

Percentage of intensive care unit beds in the community that are occupied***	<80%	<80%	80 to 90%	>90%	>90%
Percentage of hospital inpatient beds in the community that are occupied by patients with COVID-19***	<5%	5% to <10%	10% to 15%	>15%	>15%
Existence of localized community/public setting COVID-19 outbreak****	No	No	Yes	Yes	Yes

*Number of new cases per 100,000 persons within the last 14 days is calculated by adding the number of new cases in the county (or other community type) in the last 14 days divided by the population in the county (or other community type) and multiplying by 100,000.

**Percentage of RT-PCR tests in the community (e.g., county) that are positive during the last 14 days is calculated by dividing the number of positive tests over the last 14 days by the total number of tests resulted over the last 14 days. Diagnostic tests are viral (RT-PCR) diagnostic and screening laboratory tests (excludes antibody testing and RT-PCR testing for surveillance purposes). Learn more on the [Calculating Severe Acute Respiratory Syndrome Coronavirus 2 \(SARS-CoV-2\) Laboratory Test Percent Positivity: CDC Methods and Considerations for Comparisons and Interpretation webpage](#).

***Hospital beds and ICU beds occupied: These indicators are proxies for underlying community burden and the ability of the local healthcare system to support additional people with severe illness, including those with COVID-19. A community can be defined at the city, county or metro area level; federal analyses of hospital utilization rates within a community are typically conducted at the core-based statistical area (e.g., by metropolitan or micropolitan status).

**** Sudden increase in the number of COVID-19 cases in a localized community or geographic area as determined by the local and state health department.

EXHIBIT 4

Positive cases of the novel coronavirus associated with schools are reported every week day by the schools to local health departments. Local health departments provide the collected information to the Kentucky Department for Public Health. The case numbers on the school public health report are being posted as quickly as possible after notification of cases is received. These cases may still be in the verification process at the state level. Therefore, the numbers may vary from local and other reported numbers and are subject to revision as the verification process is completed. This information is being provided out of transparency and as quickly as possible.

	School Name	District	County	Students				Staff			
				# Cases Reported Today*	# Cases Reported Last 14 Days**	# Deaths	# Cases Ever Positive	# Cases Reported Today*	# Cases Reported Last 14 Days**	# Deaths	# Cases Ever Positive
1	A B Chandler Elementary School	Henderson County	Henderson	0	0	0	1	0	0	0	0
2	A M Yealey Elementary School	Boone County	Boone	0	0	0	0	0	0	0	1
3	Abraham Lincoln Elementary School	LaRue County	LaRue	1	1	0	2	0	1	0	2
4	Academy for Individual Excellence	No District Affiliation (Jefferson)	Jefferson	0	1	0	1	0	1	0	2
5	Adair County Elementary School	Adair County	Adair	0	0	0	1	0	0	0	3
6	Adair County High School	Adair County	Adair	0	0	0	12	0	0	0	2
7	Adair County Middle School	Adair County	Adair	0	0	0	4	0	1	0	1
8	Adair County Primary Center	Adair County	Adair	0	0	0	1	0	0	0	1
9	Adair Learning Academy	Adair County	Adair	0	0	0	2	0	0	0	1
10	Adairville Elementary School	Logan County	Logan	0	2	0	7	0	1	0	1
11	Ahrens Educational Resource Center	Jefferson County	Jefferson	0	0	0	0	0	0	0	2
12	Albany Elementary School	Clinton County	Clinton	0	0	0	4	0	0	0	3
13	Alex R. Kennedy Elementary	Jefferson County	Jefferson	0	0	0	1	0	0	0	3
14	Alexandria Educational Center	Campbell County	Campbell	0	0	0	1	0	0	0	0
15	Allen County Intermediate Center	Allen County	Allen	1	1	0	5	0	0	0	5
16	Allen County Primary Center	Allen County	Allen	0	1	0	2	0	1	0	7
17	Allen County Scottsville High School	Allen County	Allen	1	4	0	20	0	0	0	9
18	Allen Elementary School	Allen County	Allen	0	0	0	4	0	1	0	1
19	Alvaton Elementary	Warren County	Warren	0	0	0	5	0	0	0	2
20	Anchorage Independent Public School	Anchorage Independent	Jefferson	1	1	0	9	0	0	0	1
21	Anchored Christian School	No District Affiliation (Warren)	Warren	0	1	0	3	0	0	0	1
22	Anderson County High School	Anderson County	Anderson	0	0	0	2	0	0	0	2
23	Anderson County Middle School	Anderson County	Anderson	1	1	0	3	0	0	0	2
24	Anne Mason Elementary School	Scott County	Scott	0	0	0	1	0	0	0	0
25	Apollo High School	Daviess County	Daviess	0	5	0	13	0	0	0	2
26	Appalachian Challenge Academy	No District Affiliation (Harlan)	Harlan	0	0	0	0	0	1	0	2
27	Argillite Elementary School	Greenup County	Greenup	0	0	0	0	0	1	0	1
28	Arlington Elementary School	Fayette County	Fayette	0	0	0	2	0	0	0	0
29	Arnett Elementary School	Erlanger-Elsmere Independent	Kenton	0	0	0	0	0	0	0	3
30	Ascension Academy	Shelby County	Shelby	0	0	0	0	0	0	0	1
31	Ascension Elementary School	No District Affiliation (Jefferson)	Jefferson	0	0	0	1	0	1	0	2
32	Ashland Elementary School	Fayette County	Fayette	0	0	0	1	0	0	0	1
33	Ashland Head Start	Ashland Independent	Boyd	0	0	0	1	0	0	0	0
34	Ashland Middle School	Ashland Independent	Boyd	0	0	0	3	0	0	0	0
35	Assumption High School	Diocese of Louisville	Jefferson	0	3	0	23	0	1	0	4
36	Athens-Chilesburg Elementary School	Fayette County	Fayette	0	0	0	5	0	0	0	0
37	Atherton High	Jefferson County	Jefferson	0	1	0	3	1	1	0	1
38	Atkinson Academy	Jefferson County	Jefferson	0	0	0	1	0	0	0	0
39	Auburn Elementary School	Logan County	Logan	0	1	0	4	0	1	0	8

40	Auburndale Elementary	Jefferson County	Jefferson	0	0	0	0	2	0	0	0	0	0	0
41	Audubon Elementary School	Daviess County	Daviess	0	2	0	2	0	2	0	1	0	2	2
42	Audubon Traditional Elementary	Jefferson County	Jefferson	1	2	0	4	0	0	0	0	1	1	1
43	Austin Tracy Elementary School	Barren County	Barren	0	0	0	3	0	2	0	2	0	3	3
44	B. Michael Caudill Middle School	Madison County	Madison	0	2	0	8	0	0	0	0	0	1	1
45	Ballard High	Jefferson County	Jefferson	0	6	0	16	0	0	0	0	0	4	4
46	Ballard Memorial High School	Ballard County	Ballard	0	0	1	3	0	0	0	0	0	0	0
47	Ballyshannon Middle School	Boone County	Boone	1	2	0	2	0	2	0	0	0	0	0
48	Barbourville City School	Knox County	Knox	0	0	0	1	0	0	0	0	0	0	0
49	Bardstown Early Childhood Center	Bardstown Independent	Nelson	1	1	0	5	0	0	0	0	0	2	2
50	Bardstown Elementary School	Bardstown Independent	Nelson	1	2	0	9	0	0	0	0	0	3	3
51	Bardstown High School	Bardstown Independent	Nelson	1	2	0	18	0	0	1	0	1	1	1
52	Bardstown Middle School	Bardstown Independent	Nelson	0	1	0	8	0	1	0	1	0	2	2
53	Bardstown Primary School	Bardstown Independent	Nelson	0	1	0	3	0	1	0	1	0	12	12
54	Barren County High School	Barren County	Barren	0	6	0	34	0	5	0	5	0	10	10
55	Barren County Middle School	Barren County	Barren	0	0	0	7	0	0	0	0	0	3	3
56	Barret Traditional Middle	Jefferson County	Jefferson	0	1	0	3	0	0	0	0	0	1	1
57	Bath County High School	Bath County	Bath	0	0	0	1	0	0	0	0	0	1	1
58	Beaumont Middle School	Fayette County	Fayette	0	0	0	8	0	0	0	0	0	0	0
59	Beaver Creek Elementary School	Knott County	Knott	0	0	0	1	0	0	0	0	0	0	0
60	Beaver Dam Elementary School	Ohio County	Ohio	0	0	0	1	0	0	0	0	0	1	1
61	Bedford Elementary School	Trimble County	Trimble	0	0	0	1	0	0	0	0	0	1	1
62	Beechgrove Elementary School	Kenton County	Kenton	0	0	0	0	0	2	0	2	0	2	2
63	Beechwood Elementary School	Beechwood Independent	Kenton	0	2	0	7	0	0	1	0	0	6	6
64	Beechwood High School	Beechwood Independent	Kenton	0	3	0	5	0	0	0	0	0	3	3
65	Belfry Elementary	Pike County	Pike	0	0	0	0	0	0	0	0	0	2	2
66	Belfry High School	Pike County	Pike	0	0	0	1	0	0	0	0	0	0	0
67	Bell Central School Center	Bell County	Bell	0	0	0	3	0	0	0	0	0	2	2
68	Bell County High School	Bell County	Bell	1	4	0	8	0	0	0	0	0	1	1
69	Bell Elementary School	Wayne County	Wayne	0	0	0	2	0	0	1	0	0	2	2
70	Bellevue High School	Bellevue Independent	Campbell	0	1	0	2	0	0	0	0	0	1	1
71	Ben Johnson Elementary School	Breckinridge County	Breckinridge	0	0	0	0	0	0	0	0	0	1	1
72	Bend Gate Elementary School	Henderson County	Henderson	0	1	0	2	0	0	0	0	0	1	1
73	Benton Elementary School	Marshall County	Marshall	1	4	0	4	0	0	0	0	0	1	1
74	Berea Community Elementary School	Berea Independent	Madison	0	0	0	5	0	0	0	0	0	0	0
75	Berea Community High School	Berea Independent	Madison	0	1	0	5	0	0	0	0	0	0	0
76	Berea Community Middle School	Berea Independent	Madison	0	0	0	1	0	0	0	0	0	0	0
77	Bernheim Middle School	Bullitt County	Bullitt	0	0	0	1	0	0	0	0	0	1	1
78	Beth Haven Christian School	No District Affiliation (Jefferson)	Jefferson	0	0	0	2	0	0	0	0	0	0	0
79	Bethlehem High School	Diocese of Louisville	Nelson	1	4	0	11	0	0	0	0	0	0	0
80	Betsy Layne Elementary School	Floyd County	Floyd	0	0	0	2	0	0	0	0	0	2	2
81	Betsy Layne High School	Floyd County	Floyd	1	3	0	7	0	0	0	0	0	0	0
82	Bevin's Elementary School	Pike County	Pike	0	0	0	0	0	0	0	0	0	2	2
83	Big Creek Elementary	Clay County	Clay	0	0	0	1	0	0	1	0	0	2	2
84	Bishop Brossart High School	Campbell County	Campbell	0	0	0	2	0	0	0	0	0	1	1
85	Blake Elementary	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0	1	1
86	Blessed Sacrament Elementary School	Beechwood Independent	Kenton	0	0	0	6	0	0	1	0	0	1	1
87	Bloom Elementary	Jefferson County	Jefferson	0	2	0	2	0	0	0	0	0	0	0
88	Bloomfield Elementary School	Nelson County	Nelson	0	1	0	3	0	0	0	0	0	0	0
89	Bloomfield Middle School	Nelson County	Nelson	0	0	0	5	0	0	1	0	0	2	2
90	Blue Lick Elementary	Jefferson County	Jefferson	0	1	0	1	0	0	0	0	0	1	1
91	Bluegrass Challenge Academy	Eminence Independent	Hardin	0	0	0	6	0	0	0	0	0	2	2
92	Bluegrass Middle School	Hardin County	Hardin	0	1	0	1	0	1	1	0	0	3	3
93	Bondurant Middle School	Franklin County	Franklin	0	0	0	4	0	0	0	0	0	0	0

94	Bonnieville Elementary School	Hart County	Hart	0	0	0	0	3	0	0	0	0	0
95	Booker T Washington Elementary School	Fayette County	Fayette	0	0	0	0	6	0	0	0	0	0
96	Boone County High School	Boone County	Boone	0	2	0	0	7	0	3	0	0	4
97	Boonesborough Elementary	Madison County	Madison	0	0	0	0	1	0	0	0	0	1
98	Boston Elementary School	Whitley County	Whitley	0	0	0	0	1	0	0	0	0	2
99	Bourbon Central Elementary School	Bourbon County	Bourbon	0	0	0	0	1	0	0	0	0	0
100	Bourbon County High School	Bourbon County	Bourbon	0	3	0	0	10	0	0	0	0	0
101	Bourbon County Middle School	Bourbon County	Bourbon	0	1	0	0	6	1	2	0	0	6
102	Bowen Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	1
103	Bowen Elementary School	Powell County	Powell	0	0	0	0	1	0	1	0	0	2
104	Bowling Green High School	Bowling Green Independent	Warren	1	17	0	0	45	0	0	0	0	7
105	Bowling Green Junior High	Bowling Green Independent	Warren	1	2	0	0	10	0	0	0	0	3
106	Bowling Green Learning Center	Bowling Green Independent	Warren	0	0	0	0	1	0	0	0	0	0
107	Boyd County Early Childhood Academy	Boyd County	Boyd	0	0	0	0	2	0	0	0	0	2
108	Boyd County High School	Boyd County	Boyd	0	3	0	0	6	0	0	0	0	1
109	Boyd County Middle School	Boyd County	Boyd	1	1	0	0	3	0	0	0	0	4
110	Boyle County High School	Boyle County	Boyle	1	7	0	0	13	0	1	0	0	2
111	Boyle County Middle School	Boyle County	Boyle	0	5	0	0	7	0	2	0	0	3
112	Bracken County High School	Bracken County	Bracken	0	2	0	0	4	0	1	0	0	3
113	Brandeis Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	1
114	Brandenburg High School	Meade County	Meade	0	0	0	0	1	1	2	0	0	2
115	Brandenburg Primary School	Meade County	Meade	0	1	0	0	7	0	0	0	0	2
116	Breathitt County High School	Breathitt County	Breathitt	0	0	0	0	2	1	1	0	0	1
117	Breckinridge County High School	Breckinridge County	Breckinridge	0	2	0	0	3	0	0	0	0	1
118	Breckinridge County Middle School	Breckinridge County	Breckinridge	0	0	0	0	4	0	0	0	0	0
119	Breckinridge Elementary School	Fayette County	Fayette	0	0	0	0	5	0	0	0	0	1
120	Breckinridge Metropolitan High	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
121	Bremen Elementary School	Muhlenberg County	Muhlenberg	0	0	0	0	0	0	1	0	0	1
122	Brenda Cowan Elementary School	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	1
123	Briarwood Elementary School	Warren County	Warren	0	0	0	0	2	0	1	0	0	5
124	Bridgeport Elementary School	Franklin County	Franklin	0	0	0	0	2	0	0	0	0	0
125	Bristow Elementary	Warren County	Warren	1	1	0	0	7	0	2	0	0	2
126	Brodhead Elementary School	Rockcastle County	Rockcastle	0	0	0	0	1	0	0	0	0	2
127	Brooks Elementary School	Bullitt County	Bullitt	0	1	0	0	4	0	0	0	0	1
128	Brookside Elementary School	Jessamine County	Jessamine	0	0	0	0	2	0	0	0	0	0
129	Browning Springs Middle School	Hopkins County	Hopkins	1	2	0	0	3	0	0	0	0	0
130	Bryan Station High School	Fayette County	Fayette	0	0	0	0	33	0	0	0	0	1
131	Bryan Station Middle School	Fayette County	Fayette	0	0	0	0	7	0	0	0	0	1
132	Buckhorn School	Perry County	Perry	0	0	0	0	0	0	0	0	0	1
133	Buckner Elementary School	Oldham County	Oldham	0	1	0	0	2	0	0	0	0	0
134	Bullitt Central High School	Bullitt County	Bullitt	0	4	0	0	7	0	0	0	0	4
135	Bullitt East High School	Bullitt County	Bullitt	1	3	0	0	11	0	1	0	0	2
136	Bullitt Lick Middle School	Bullitt County	Bullitt	0	0	0	0	1	0	1	0	0	5
137	Burgin Independent School	No District Affiliation (Mercer)	Mercer	0	0	0	0	1	0	1	0	0	2
138	Burlington Elementary School	Boone County	Boone	0	0	0	0	1	0	1	0	0	2
139	Burning Springs Elementary	Clay County	Clay	0	1	0	0	5	0	0	0	0	2
140	Burnside Elementary School	Pulaski County	Pulaski	0	1	0	0	1	0	0	0	0	1
141	Bush Elementary School	Laurel County	Laurel	0	0	0	0	7	0	0	0	0	1
142	Butler County High School	Butler County	Butler	0	1	0	0	6	0	0	0	0	1
143	Butler County Middle School	Butler County	Butler	0	0	0	0	5	0	1	0	0	1
144	Butler Traditional High	Jefferson County	Jefferson	0	4	0	0	13	0	1	0	0	1
145	Cairo Elementary School	Henderson County	Henderson	0	0	0	0	1	0	0	0	0	2
146	Caldwell County Elementary School	Caldwell County	Caldwell	0	2	0	0	8	0	1	0	0	4
147	Caldwell County High School	Caldwell County	Caldwell	0	2	0	0	17	0	0	0	0	1

148	Caldwell County Middle School	Caldwell County	Caldwell	0	0	0	0	5	0	0	0	5
149	Caldwell County Primary School	Caldwell County	Caldwell	0	2	0	0	5	0	1	0	5
150	Calloway County High School	Calloway County	Calloway	0	2	0	0	14	0	1	0	4
151	Calloway County Middle School	Calloway County	Calloway	0	0	0	0	10	0	0	0	2
152	Calvary Christian School	No District Affiliation (Kenton)	Kenton	0	1	0	0	2	1	1	0	3
153	Calvary Elementary School	Marion County	Marion	0	1	0	0	3	0	0	0	1
154	Calvert City Elementary School	Marshall County	Marshall	0	1	0	0	1	0	1	0	1
155	Camargo Elementary School	Montgomery County	Montgomery	0	0	0	0	3	1	1	0	1
156	Camden Station Elementary School	Oldham County	Oldham	0	0	0	0	2	0	0	0	2
157	Camp Dick Robinson Elementary School	Garrard County	Garrard	0	0	0	0	2	0	0	0	0
158	Camp Ernst Middle School	Boone County	Boone	0	2	0	0	4	0	0	0	0
159	Camp Taylor Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	1
160	Campbell County Area Technology Center	Campbell County	Campbell	0	0	0	0	0	0	0	0	1
161	Campbell County High School	Campbell County	Campbell	0	6	0	0	10	0	3	0	3
162	Campbell County Middle School	Campbell County	Campbell	0	0	0	0	2	0	0	0	1
163	Campbell Elementary School	Raceland Independent	Greenup	0	0	0	0	1	0	0	0	1
164	Campbell Ridge Elementary	Campbell County	Campbell	0	1	0	0	1	0	0	0	4
165	Campbellsburg Elementary School	Henry County	Henry	0	0	0	0	1	0	0	0	1
166	Campbellsville Elementary School	Campbellsville Independent	Taylor	0	0	0	0	2	0	1	0	2
167	Campbellsville High School	Campbellsville Independent	Taylor	0	3	0	0	5	0	0	0	0
168	Campbellsville Middle School	Campbellsville Independent	Taylor	0	0	0	0	2	0	0	0	0
169	Campton Elementary School	Wolfe County	Wolfe	0	0	0	0	0	0	2	0	3
170	Cane Ridge Elementary School	Bourbon County	Bourbon	0	0	0	0	1	0	2	0	4
171	Cane Run Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	1
172	Cardinal Valley Elementary School	Fayette County	Fayette	0	1	0	0	10	0	0	0	1
173	Carlisle County Middle School	Carlisle County	Carlisle	0	0	0	0	1	0	0	0	1
174	Carr Creek Elementary School	Knott County	Knott	0	0	0	0	2	0	2	0	6
175	Carriethers Middle	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	3
176	Carroll County High School	Carroll County	Carroll	0	1	0	0	2	0	3	0	4
177	Carroll County Middle School	Carroll County	Carroll	1	2	0	0	4	0	0	0	1
178	Carter G Woodson Academy	Fayette County	Fayette	0	0	0	0	2	0	0	0	0
179	Carter Traditional Elementary	Jefferson County	Jefferson	0	1	0	0	2	0	0	0	0
180	Cartmell Elementary	Carroll County	Carroll	0	0	0	0	1	0	1	0	1
181	Casey County High School	Casey County	Casey	0	0	0	0	4	0	1	0	4
182	Casey County Middle School	Casey County	Casey	0	0	0	0	1	0	0	0	0
183	Cassidy Elementary School	Fayette County	Fayette	0	0	0	0	3	0	0	0	0
184	Catlettsburg Elementary School	Boyd County	Boyd	0	1	0	0	1	0	0	0	0
185	Caverna Elementary School	Caverna Independent	Barren	0	0	0	0	5	0	0	0	0
186	Caverna High School	Caverna Independent	Hart	0	0	0	0	3	0	0	0	2
187	Caverna Middle School	Caverna Independent	Hart	0	0	0	0	2	0	0	0	0
188	Cawood Elementary School	Harlan County	Harlan	0	0	0	0	0	0	0	0	1
189	Cecilia Valley Elementary School	Hardin County	Hardin	0	0	0	0	1	0	0	0	0
190	Cedar Grove Elementary	Bullitt County	Bullitt	0	0	0	0	1	0	0	0	0
191	Central City Elementary	Muhlenberg County	Muhlenberg	0	0	0	0	1	0	1	0	4
192	Central Elementary School (Marshall)	Marshall County	Marshall	0	0	0	0	0	0	1	0	5
193	Central Hardin High School	Hardin County	Hardin	1	7	0	0	35	0	0	0	7
194	Central High Magnet Career Academy	Jefferson County	Jefferson	1	3	0	0	9	0	3	0	7
195	Chancey Elementary	Jefferson County	Jefferson	0	1	0	0	2	0	0	0	0
196	Chandlers Elementary School	Logan County	Logan	1	1	0	0	5	0	0	0	1
197	Charles H. Kelly Elementary School	Boone County	Boone	0	0	0	0	1	0	0	0	0
198	Charles Russell Elementary School	Ashland Independent	Boyd	0	2	0	0	2	0	0	0	0
199	Chenoweth Elementary	Jefferson County	Jefferson	0	0	0	0	3	0	0	0	0
200	Chester Goodridge Elementary School	Boone County	Boone	0	1	0	0	3	0	1	0	2
201	Christ the King Elementary School	Diocese of Owensboro	Hopkins	0	0	0	0	0	0	0	0	1

202	Christ the King School	Diocese of Lexington	Fayette	0	0	0	0	5	0	0	0	0	0	0	0	0
203	Christian Academy of Lawrenceburg	No District Affiliation (Anderson)	Anderson	0	0	0	0	2	0	0	0	0	0	0	0	4
204	Christian Academy of Louisville Elementary School (English Station)	No District Affiliation (Jefferson)	Jefferson	0	1	0	0	11	0	0	0	0	0	0	0	0
205	Christian Academy of Louisville High School	No District Affiliation (Jefferson)	Jefferson	0	1	0	0	3	0	0	0	0	0	0	1	1
206	Christian County Alternative School	Christian County	Christian	0	0	0	0	0	0	0	0	1	0	0	1	1
207	Christian County High School	Christian County	Christian	0	2	0	0	14	0	0	0	0	0	0	6	6
208	Christian County Middle School	Christian County	Christian	0	4	0	0	12	0	0	0	0	0	0	2	2
209	Christian Fellowship School	Marshall County	Marshall	0	0	0	0	5	0	0	1	0	0	0	5	5
210	Churchill Park School	Jefferson County	Jefferson	0	0	0	0	0	0	0	1	0	0	0	1	1
211	Clark Elementary School	Paducah Independent	McCracken	0	0	0	0	2	0	0	0	0	0	0	1	1
212	Clark Moores Middle School	Madison County	Madison	0	0	0	0	6	0	0	1	0	0	0	2	2
213	Clarkson Elementary School	Grayson County	Grayson	0	0	0	0	1	0	0	1	0	0	0	4	4
214	Clay City Elementary School	Powell County	Powell	0	0	0	0	1	0	0	0	0	0	0	1	1
215	Clay County High School	Clay County	Clay	0	2	0	0	11	0	0	2	0	0	0	10	10
216	Clay County Middle School	Clay County	Clay	0	0	0	0	2	0	0	0	0	0	0	3	3
217	Clay Elementary School	Webster County	Webster	0	1	0	0	1	0	0	1	0	0	0	1	1
218	Clays Mill Christian Academy	No District Affiliation (Fayette)	Fayette	0	0	0	0	2	0	0	0	0	0	0	0	0
219	Clays Mill Elementary School	Fayette County	Fayette	0	0	0	0	1	0	0	0	0	0	0	0	0
220	Clear Creek Elementary	Shelby County	Shelby	0	0	0	0	9	0	0	0	0	0	0	5	5
221	Clinton County Early Childhood Center	Clinton County	Clinton	0	0	0	0	2	0	0	0	0	0	0	2	2
222	Clinton County High School	Clinton County	Clinton	0	0	0	0	5	0	0	0	0	0	0	0	0
223	Clinton County Middle School	Clinton County	Clinton	0	0	0	0	5	0	0	1	0	0	0	3	3
224	Gloverport Independent School	Gloverport Independent	Breckinridge	0	0	0	0	0	0	0	1	0	0	0	2	2
225	Cochran Elementary	Jefferson County	Jefferson	0	0	0	0	2	0	0	0	0	0	0	0	0
226	Cold Hill Elementary School	Laurel County	Laurel	0	0	0	0	1	0	0	0	0	0	0	0	0
227	Coleridge Taylor Montessori Elementary	Jefferson County	Jefferson	0	0	0	0	0	1	0	1	0	0	0	4	4
228	College View Campus	Hardin County	Hardin	0	0	0	0	0	0	0	1	0	0	0	1	1
229	College View Middle School	Davess County	Davess	0	0	0	0	5	0	0	2	0	0	0	2	2
230	Collins Lane	Franklin County	Franklin	0	0	0	0	1	0	0	0	0	0	0	1	1
231	Colony Elementary School	Laurel County	Laurel	1	1	0	0	1	0	0	0	0	0	0	4	4
232	Community Christian Academy	McCracken County	McCracken	0	0	0	0	2	0	0	0	0	0	0	0	0
233	Community Montessori School	No District Affiliation (Fayette)	Fayette	0	0	0	0	1	0	0	0	0	0	0	0	0
234	Concord Elementary School	McCracken County	McCracken	0	0	0	0	1	0	0	0	0	0	0	2	2
235	Conner High School	Boone County	Boone	0	1	0	0	6	0	0	0	0	0	0	1	1
236	Conner Middle School	Boone County	Boone	0	5	0	0	7	1	0	2	0	0	0	2	2
237	Conway Middle	Jefferson County	Jefferson	0	2	0	0	4	0	0	0	0	0	0	2	2
238	Coral Ridge Elementary	Jefferson County	Jefferson	0	2	0	0	7	0	0	1	0	0	0	1	1
239	CORBIN ELEMENTARY SCHOOL	Corbin Independent	Knox	0	0	0	0	2	0	0	0	0	0	0	1	1
240	Corbin High School	Corbin Independent	Knox	0	3	0	0	11	0	0	2	0	0	0	2	2
241	Corbin Middle School	Corbin Independent	Knox	0	1	0	0	4	0	0	0	0	0	0	0	0
242	Corbin Primary	Corbin Independent	Knox	0	0	0	0	7	0	0	0	0	0	0	0	0
243	Cordia School	Knott County	Knott	0	0	0	0	0	0	0	0	0	0	0	2	2
244	Cornerstone Christian Academy	No District Affiliation (Shelby)	Shelby	0	0	0	0	2	0	0	0	0	0	0	3	3
245	Cornerstone Christian School	No District Affiliation (Laurel)	Laurel	0	0	0	0	0	0	0	0	0	0	0	2	2
246	Country Heights Elementary School	Davess County	Davess	0	0	0	0	1	0	0	2	0	0	0	2	2
247	Coventry Oak Elementary School	Fayette County	Fayette	0	0	0	0	9	0	0	0	0	0	0	0	0
248	Covington Catholic High School	Diocese of Covington	Kenton	0	0	0	0	2	0	0	0	0	0	0	0	0
249	Cowan Elementary School	Letcher County	Letcher	0	0	0	0	0	0	0	0	0	0	0	1	1
250	Coxs Creek Elementary School	Nelson County	Nelson	0	1	0	0	2	0	0	0	0	0	0	1	1
251	Crab Orchard Elementary School	Lincoln County	Lincoln	0	0	0	0	3	0	0	1	0	0	0	1	1
252	Crabbe Elementary School	Ashland Independent	Boyd	0	0	0	0	3	0	0	0	0	0	0	0	0
253	Crawford Middle School	Fayette County	Fayette	0	0	0	0	8	0	0	0	0	0	0	0	0
254	Creekside Elementary School (Hardin)	Hardin County	Hardin	0	0	0	0	0	0	0	0	0	0	0	0	1
255	Creekside Elementary School (Scott)	Scott County	Scott	0	1	0	0	1	0	0	0	0	0	0	0	0

256	Crestview Mennonite School	No District Affiliation (Laurel)	Laurel	0	0	0	0	3	0	0	0	0	0	0
257	Crestwood Elementary School	Oldham County	Oldham	0	0	0	0	0	0	0	0	0	0	1
258	Crittenden County Elementary School	Crittenden County	Crittenden	0	0	0	0	2	0	0	0	0	0	2
259	Crittenden County High School	Crittenden County	Crittenden	0	1	0	0	10	0	1	0	0	0	2
260	Crittenden County Middle School	Crittenden County	Crittenden	0	2	0	0	6	0	0	0	0	0	1
261	Crittenden-Mt. Zion Elementary School	Grant County	Grant	0	0	0	0	0	0	1	0	0	0	2
262	Crofton Elementary School	Christian County	Christian	0	0	0	0	4	0	0	1	0	0	1
263	Crosby Middle	Jefferson County	Jefferson	0	2	0	0	4	0	0	0	0	0	1
264	Crossroads Elementary School (Bath)	Bath County	Bath	0	0	0	0	0	0	0	0	0	0	1
265	Crossroads Elementary School (Bullitt)	Bullitt County	Bullitt	0	1	0	0	3	0	0	0	0	0	0
266	Crossroads Elementary School (Campbell)	Campbell County	Campbell	0	2	0	0	2	0	1	0	0	0	1
267	Crum's Lane Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	0	1
268	Cub Run Elementary School	Hart County	Hart	0	0	0	0	2	0	0	0	0	0	1
269	Cumberland County Elementary School	Cumberland County	Cumberland	0	2	0	0	2	1	1	0	0	0	3
270	Cumberland County High School	Cumberland County	Cumberland	1	1	0	0	5	0	0	0	0	0	1
271	Cumberland County Middle School	Cumberland County	Cumberland	0	3	0	0	7	0	0	0	0	0	1
272	Cumberland Elementary School	Harlan County	Harlan	0	0	0	0	0	0	0	0	0	0	3
273	Cumberland Trace Elementary	Warren County	Warren	0	0	0	0	2	0	0	0	0	0	0
274	Custer Elementary School	Breckinridge County	Breckinridge	0	0	0	0	0	0	0	0	0	0	1
275	Daniel Boone Elementary School	Madison County	Madison	0	0	0	0	1	0	0	0	0	0	1
276	Danville Christian Academy	No District Affiliation (Boyle)	Boyle	0	3	0	0	4	0	0	1	0	0	1
277	Danville High School	Danville Independent	Boyle	1	1	0	0	1	0	0	0	0	0	1
278	David T. Wilson Elementary	Meade County	Meade	1	1	0	0	6	0	0	0	0	0	3
279	Davies County High School	Davies County	Davies	0	4	0	0	12	0	2	0	0	0	6
280	Davies County Middle School	Davies County	Davies	0	0	0	0	4	0	0	0	0	0	0
281	Dawson Springs Elementary	Dawson Springs Independent	Dawson Springs	0	1	0	0	2	0	1	0	0	0	2
282	Dawson Springs Jr/Sr High School	Dawson Springs Independent	Hopkins	0	0	0	0	1	0	0	0	0	0	0
283	Dayton High School	Dayton Independent	Campbell	0	0	0	0	1	0	0	0	0	0	0
284	Deep Springs Elementary School	Fayette County	Fayette	0	0	0	0	4	0	0	0	0	0	1
285	Deer Park Elementary School	Davies County	Davies	0	1	0	0	2	0	0	0	0	0	1
286	Dishman McGinnis Elementary School	Bowling Green Independent	Warren	0	0	0	0	7	0	0	0	0	0	4
287	Dixie Elementary Magnet School	Fayette County	Fayette	0	0	0	0	3	0	0	0	0	0	0
288	Dixie Heights High School	Kenton County	Kenton	0	2	0	0	8	0	0	0	0	0	1
289	Dixon Elementary School	Webster County	Webster	0	0	0	0	0	0	2	0	0	0	2
290	Donald E. Cline Elementary School	Campbell County	Campbell	0	2	0	0	4	0	0	0	0	0	1
291	Dorton Elementary School	Pike County	Pike	0	0	0	0	0	0	0	0	0	0	1
292	Doss High	Jefferson County	Jefferson	1	2	0	0	5	0	1	0	0	0	3
293	Drakes Creek Middle School	Warren County	Warren	0	1	0	0	12	0	0	0	0	0	2
294	duPont Manual High	Jefferson County	Jefferson	0	3	0	0	14	0	1	0	0	0	3
295	E P Ward Elementary School	Fleming County	Fleming	0	0	0	0	0	0	0	0	0	0	2
296	Earlington Elementary School	Hopkins County	Hopkins	0	0	0	0	0	0	0	0	0	0	1
297	East Bernstadt Elementary School	East Bernstadt Independent	Laurel	1	1	0	0	5	0	0	0	0	0	1
298	East Calloway Elementary School	Calloway County	Calloway	0	0	0	0	0	0	0	0	0	0	1
299	East Carter County High School	Carter County	Carter	0	0	0	0	3	0	0	0	0	0	0
300	East Carter Middle School	Carter County	Carter	0	0	0	0	2	0	0	0	0	0	0
301	East Hardin Middle School	Hardin County	Hardin	0	2	0	0	11	0	1	0	0	0	3
302	East Heights Elementary School	Henderson County	Henderson	0	1	0	0	2	0	0	0	0	0	2
303	East Jessamine High School	Jessamine County	Jessamine	0	1	0	0	8	0	1	0	0	0	1
304	East Jessamine Middle School	Jessamine County	Jessamine	0	4	0	0	11	0	0	0	0	0	0
305	East Perry County Elementary School	Perry County	Perry	0	2	0	0	8	0	0	0	0	0	3
306	East Ridge High School	Pike County	Pike	0	0	0	0	2	0	0	0	0	0	2
307	East View Elementary School	Davies County	Davies	0	0	0	0	2	0	1	0	0	0	3
308	Eastern Elementary School (Barren)	Barren County	Barren	0	0	0	0	4	1	0	0	0	0	2
309	Eastern Elementary School (Henry)	Henry County	Henry	0	0	0	0	2	0	0	0	0	0	0

310	Eastern Elementary School (Scott)	Scott County	Scott	1	1	0	0	1	0	0	0	0	0	0
311	Eastern High	Jefferson County	Jefferson	0	3	0	0	17	0	0	0	0	0	2
312	Eastside Middle School	Bullitt County	Bullitt	2	2	0	0	3	0	0	0	0	0	0
313	Eastside Technical Center	Fayette County	Fayette	0	0	0	0	0	0	0	0	0	0	0
314	Eden Elementary School	Martin County	Martin	0	0	0	0	1	1	1	0	0	0	4
315	Edmonson County 5/6 Center	Edmonson County	Edmonson	0	1	0	0	1	0	0	0	0	0	0
316	Edmonson County High School	Edmonson County	Edmonson	0	3	0	0	9	0	0	0	0	0	2
317	Edmonson County Middle School	Edmonson County	Edmonson	0	1	0	0	2	0	1	0	1	0	1
318	Edna L. Toliver Intermediate School	Danville Independent	Boyle	0	1	0	0	1	0	0	1	0	0	1
319	Edythe Hayes Middle School	Fayette County	Fayette	0	0	0	0	9	0	0	0	0	0	1
320	Eisenhower Elementary	Jefferson County	Jefferson	0	0	0	0	3	0	1	0	0	0	1
321	Elizabethtown High School	Elizabethtown Independent	Hardin	1	5	0	0	13	0	0	0	0	0	1
322	Elkhorn City Elementary School	Pike County	Pike	0	1	0	0	2	0	0	0	0	0	0
323	Elkhorn Elementary School	Franklin County	Franklin	0	2	0	0	4	0	0	0	0	0	0
324	Elkhorn Middle School	Franklin County	Franklin	0	2	0	0	4	0	1	0	1	0	1
325	Eminence High School	Eminence Independent	Henry	0	1	0	0	3	0	0	0	0	0	1
326	Emma B. Ward Elementary School	Anderson County	Anderson	0	0	0	0	1	0	0	0	0	0	2
327	Emmalena Elementary School	Knott County	Knott	0	0	0	0	0	0	0	0	0	0	3
328	Erpenbeck Elementary School	Boone County	Boone	0	0	0	0	1	0	0	0	0	0	0
329	Estes Elementary School	Owensboro Independent	Daviess	0	0	0	0	1	0	0	0	0	0	0
330	Estill County High School	Estill County	Estill	2	4	0	0	8	0	0	0	0	0	0
331	Estill County Middle School	Estill County	Estill	0	1	0	0	2	0	0	0	0	0	0
332	Estill Springs Elementary	Estill County	Estill	0	1	0	0	1	0	0	0	0	0	0
333	Eubank Elementary School	Pulaski County	Pulaski	0	0	0	0	1	0	0	1	0	0	3
334	Evangel Christian School	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	1	0	0	0	0	0	0
335	Ezra Sparrow Early Childhood Center	Anderson County	Anderson	0	0	0	0	0	0	0	0	0	0	1
336	F T Burns Elementary School	Daviess County	Daviess	0	0	0	0	1	0	0	0	0	0	1
337	F T Burns Middle School	Daviess County	Daviess	0	1	0	0	2	0	0	0	0	0	6
338	Fairdale Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	0	0
339	Fairdale High	Jefferson County	Jefferson	0	2	0	0	3	0	1	0	0	0	4
340	Fairview Elementary School	Fairview Independent	Boyd	1	3	0	0	4	0	0	0	0	0	2
341	Fairview High School	Fairview Independent	Boyd	0	1	0	0	3	0	2	0	0	0	4
342	Fallsburg Elementary School	Lawrence County	Lawrence	0	1	0	0	1	0	0	0	0	0	0
343	Fancy Farm Elementary School	Graves County	Graves	0	0	0	0	1	0	1	0	0	0	1
344	Fanner Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0	2
345	Farnsley Middle	Jefferson County	Jefferson	1	2	0	0	5	0	0	0	0	0	1
346	Farristown Middle School	Madison County	Madison	0	0	0	0	4	0	0	1	0	0	1
347	Fern Creek Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	0	1
348	Fern Creek High	Jefferson County	Jefferson	1	2	0	0	5	0	0	0	0	0	0
349	Field Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	0	3
350	Flaherty Elementary School	Meade County	Meade	0	1	0	0	1	0	0	0	0	0	1
351	Flaherty Primary School	Meade County	Meade	0	0	0	0	1	0	1	0	0	0	2
352	Fleming County High School	Fleming County	Fleming	0	0	0	0	1	0	0	0	0	0	1
353	Florence Elementary School	Boone County	Boone	0	0	0	0	1	0	1	0	0	0	2
354	Floyd Central High School	Floyd County	Floyd	0	2	0	0	10	0	0	0	0	0	4
355	Foley Middle School	Madison County	Madison	0	0	0	0	3	0	0	1	0	0	3
356	Foothills Academy	Clinton County	Clinton	0	0	0	0	0	0	0	0	0	0	1
357	Fordsville Elementary School	Ohio County	Ohio	0	0	0	0	1	0	0	0	0	0	2
358	Foster Heights Elementary School	Nelson County	Nelson	0	1	0	0	5	0	1	0	0	0	3
359	Foundation Christian Academy	No District Affiliation (Warren)	Warren	0	0	0	0	1	0	0	0	0	0	1
360	Frankfort Christian Academy	No District Affiliation (Fayette)	Franklin	0	0	0	0	0	0	0	0	0	0	1
361	Frankfort High School	Frankfort Independent	Franklin	0	0	0	0	2	0	0	0	0	0	0
362	Franklin County High School	Franklin County	Franklin	0	2	0	0	9	0	0	0	0	0	1
363	Franklin Elementary School	Simpson County	Simpson	0	0	0	0	1	0	0	0	0	0	3

364	Franklin Simpson High School	Simpson County	Simpson	0	2	0	8	0	0	0	0	3
365	Franklin Simpson Middle School	Simpson County	Simpson	1	3	0	11	0	0	0	0	2
366	Frederick Douglass High School	Fayette County	Fayette	0	0	0	22	0	0	0	0	2
367	Frederick Law Olmsted Academy North	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	2
368	Frederick Law Olmsted Academy South	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	1
369	Freedom Elementary School (Bullitt)	Bullitt County	Bullitt	0	1	0	1	0	0	0	0	2
370	Freedom Elementary School (Christian)	Christian County	Christian	0	0	0	2	0	4	0	0	6
371	Friends School	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	0	1	0	0	1
372	Ft Wright Elementary School	Kenton County	Kenton	0	0	0	1	0	0	0	0	1
373	Fulton County High School	Fulton County	Fulton	0	0	0	2	0	0	0	0	3
374	G C Burkhead Elementary School	Hardin County	Hardin	0	1	0	6	0	0	0	0	0
375	Gallatin County High School	Gallatin County	Gallatin	0	3	0	6	0	0	0	0	1
376	Gallatin County Lower Elementary	Gallatin County	Gallatin	0	0	0	1	1	0	0	0	2
377	Gallatin County Upper Elementary	Gallatin County	Gallatin	0	0	0	2	0	0	0	0	1
378	Gamaliel Elementary	Monroe County	Monroe	0	0	0	0	0	2	0	0	6
379	Garden Springs Elementary School	Fayette County	Fayette	0	0	0	5	0	0	0	0	0
380	Garrard County High School	Garrard County	Garrard	0	1	0	5	0	0	0	0	1
381	Garrard Middle School	Garrard County	Garrard	0	2	0	5	0	1	0	0	3
382	Garrett Morgan Elementary School	Fayette County	Fayette	0	1	0	5	0	0	0	0	1
383	Garth Elementary School	Scott County	Scott	0	0	0	0	0	0	0	0	1
384	Gateway Academy to Innovation and Tech.	Christian County	Christian	0	0	0	0	0	0	0	0	1
385	George Rogers Clark High School	Clark County	Clark	0	2	0	3	0	1	0	0	2
386	Georgetown Middle School	Scott County	Scott	0	0	0	0	0	1	0	0	1
387	Georgia Chaffee Teenage Parent Program	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	1
388	Girdler Elementary School	Knox County	Knox	0	0	0	0	0	0	0	0	1
389	Glasgow Christian Academy	No District Affiliation (Barren)	Barren	0	0	0	1	0	0	0	0	0
390	Glasgow High School	Barren	Barren	0	3	0	12	0	0	0	0	0
391	Glasgow Middle School	Glasgow Independent	Barren	0	1	0	2	0	0	0	0	3
392	Glasscock Elementary School	Marion County	Marion	0	0	0	3	0	1	0	0	5
393	Glendover Elementary School	Fayette County	Fayette	0	0	0	7	0	0	0	0	1
394	Glenn R Marshall Elementary School	Madison County	Madison	0	0	0	2	0	0	0	0	0
395	Goldsmith Elementary	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0
396	Good Shepherd Elementary School	Frankfort Independent	Franklin	0	1	0	1	0	0	0	0	0
397	Goose Rock Elementary	Clay County	Clay	0	1	0	3	0	2	0	0	2
398	Goshen At Hillcrest Elementary School	Oldham County	Oldham	0	0	0	2	0	2	0	0	2
399	Gospel Christian Academy	No District Affiliation (Clinton)	Clinton	0	0	0	3	0	0	0	0	0
400	Grace M. James Academy of Excellence	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0
401	Grant County High School	Grant County	Grant	0	3	0	9	0	1	0	0	5
402	Grant County Middle School	Grant County	Grant	1	2	0	3	0	1	0	0	2
403	Grant's Lick Elementary School	Campbell County	Campbell	0	0	0	1	0	2	0	0	2
404	Grapevine Elementary School	Hopkins County	Hopkins	0	0	0	3	0	0	0	0	0
405	Graves County Central Elementary	Graves County	Graves	0	3	0	4	1	1	0	0	3
406	Graves County High School	Graves County	Graves	0	0	0	3	0	1	0	0	1
407	Graves County Middle School	Graves County	Graves	0	3	0	4	0	0	0	0	1
408	Gray Middle School	Boone County	Boone	0	2	0	3	0	0	0	0	1
409	Grayson County High School	Grayson County	Grayson	0	2	0	9	0	0	0	0	2
410	Grayson County Middle School	Grayson County	Grayson	0	2	0	6	0	1	0	0	2
411	Great Crossing High School	Scott County	Scott	0	0	0	2	0	1	0	0	1
412	Greathouse/Shnyock Traditional	Jefferson County	Jefferson	0	1	0	2	0	0	0	0	0
413	Green County High School	Green County	Green	0	0	0	11	0	0	0	0	4
414	Green County Intermediate School	Green County	Green	0	0	0	8	0	0	0	0	0
415	Green County Middle School	Green County	Green	0	0	0	8	0	0	0	0	1
416	Green County Primary School	Green County	Green	0	0	0	4	0	2	0	0	5
417	Greenup County High School	Greenup County	Greenup	0	3	0	7	0	0	0	0	1

418	Greenville Elementary School	Muhlenberg County	Muhlenberg	1	1	0	0	2	0	0	0	0	1
419	Greenwood Elementary	Jefferson County	Jefferson	1	1	0	1	1	0	1	0	0	2
420	Greenwood High School	Warren County	Warren	1	1	0	0	34	1	1	0	0	2
421	Gutermuth Elementary	Jefferson County	Jefferson	0	0	0	0	1	1	1	0	0	2
422	H W Wilkey Elementary School	Grayson County	Grayson	0	0	0	0	4	0	0	0	0	1
423	Hacker Elementary School	Clay County	Clay	0	0	0	0	0	0	0	0	0	1
424	Hager Elementary School	Ashland Independent	Boyd	0	2	0	0	2	0	0	0	0	1
425	Hancock County High School	Hancock County	Hancock	1	2	0	0	6	0	0	0	0	2
426	Hancock County Middle School	Hancock County	Hancock	0	0	0	0	2	0	0	0	0	0
427	Hanson Elementary School	Hopkins County	Hopkins	1	1	0	0	2	0	0	0	0	0
428	Hardin County Schools Early College and Career Center	Hardin County	Hardin	0	0	0	0	1	0	0	0	0	0
429	Hardinsburg Elementary School	Breckinridge County	Breckinridge	0	1	0	0	1	0	1	0	0	1
430	Harlan County High School	Harlan County	Harlan	0	0	0	0	6	0	0	0	0	0
431	Harlan Elementary School	Harlan Independent	Harlan	0	0	0	0	3	0	1	0	0	2
432	Harlan High School	Harlan Independent	Harlan	0	0	0	0	3	0	0	0	0	0
433	Harmony Elementary School	Oldham County	Oldham	0	0	0	0	1	0	0	0	0	1
434	Harrison County High School	Harrison County	Harrison	0	1	0	0	3	0	1	0	0	3
435	Harrison Elementary School (Fayette)	Fayette County	Fayette	0	0	0	0	1	0	0	0	0	0
436	Hart County High School	Hart County	Hart	1	8	0	0	23	0	0	0	0	9
437	Hartstern Elementary	Jefferson County	Jefferson	0	0	0	0	2	1	1	0	0	2
438	Hattie C. Warner Elementary School	Jessamine County	Jessamine	0	0	0	0	1	0	0	0	0	0
439	Hawthorne Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	1
440	Hayes Lewis Elementary School	Leslie County	Leslie	0	0	0	0	1	0	0	0	0	0
441	Hazard High School	Hazard Independent	Perry	0	0	0	0	19	0	1	0	0	3
442	Hazard Middle School	Hazard Independent	Perry	0	0	0	0	0	0	2	0	0	2
443	Hazel Green Elementary School	Laurel County	Laurel	0	0	0	0	1	0	2	0	0	3
444	Hazelwood Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
445	Hearn Elementary	Franklin County	Franklin	0	0	0	0	0	0	0	0	0	3
446	Heartland Elementary School	Hardin County	Hardin	0	0	0	0	4	0	1	0	0	2
447	Heath Elementary School	McCracken County	McCracken	0	0	0	0	0	0	0	0	0	6
448	Heath Middle School	McCracken County	McCracken	0	0	0	0	2	0	1	0	0	4
449	Hebron Middle School	Bullitt County	Bullitt	0	1	0	0	2	0	1	0	0	3
450	Helmwood Heights Elementary School	Elizabethtown Independent	Hardin	0	0	0	0	1	0	0	0	0	1
451	Henderson County High School	Henderson County	Henderson	0	10	0	0	33	0	5	0	0	19
452	Henderson County North Middle School	Henderson County	Henderson	1	2	0	0	7	0	6	0	0	6
453	Henderson County South Middle School	Henderson County	Henderson	1	4	0	0	10	0	0	0	0	0
454	Hendron Lone Oak Elementary School	McCracken County	McCracken	0	0	0	0	0	0	0	0	0	1
455	Henry Clay High School	Fayette County	Fayette	0	0	0	0	28	0	0	0	0	1
456	Henry County High School	Henry County	Henry	0	0	0	0	2	0	0	0	0	4
457	Henry County Middle School	Henry County	Henry	0	1	0	0	1	0	0	0	0	0
458	Henry F. Moss Middle School	Warren County	Warren	0	0	0	0	3	0	0	0	0	1
459	Herald Whitaker Middle School	Magoffin County	Magoffin	0	0	0	0	0	0	0	0	0	1
460	Heritage Academy	Boone County	Boone	0	0	0	0	3	0	0	0	0	3
461	Heritage Christian Academy	No District Affiliation (Christian)	Christian	0	0	0	0	10	0	0	0	0	5
462	Heritage Elementary	Shelby County	Shelby	1	1	0	0	1	0	0	0	0	0
463	Heritage Park High School	Daviess County	Daviess	0	0	0	0	0	0	0	0	0	1
464	Hickman County Elementary School	Hickman County	Hickman	0	0	0	0	2	0	0	0	0	1
465	Hickman County High School	Hickman County	Hickman	0	0	0	0	0	0	0	0	0	1
466	Highland Elementary School (Daviess)	Daviess County	Daviess	0	0	0	0	0	0	0	0	0	1
467	Highland Elementary School (Glasgow)	Glasgow Independent	Barren	1	1	0	0	1	0	0	0	0	2
468	Highland Elementary School (Lincoln)	Lincoln County	Lincoln	0	0	0	0	2	0	0	0	0	0
469	Highlands Middle	Jefferson County	Jefferson	0	0	0	0	2	1	1	0	0	4
470	Highlands High School	Fort Thomas Independent	Campbell	0	5	0	0	7	0	0	0	0	1
471	Highlands Latin School	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	10	0	0	0	0	1

472	Highlands Middle School	Fort Thomas Independent	Campbell	0	0	0	0	3	0	1	0	0	1
473	Hillard Collins Elementary School	Boone County	Boone	0	1	0	0	4	0	1	0	0	4
474	Hillview Academy	Spencer County	Spencer	0	0	0	0	2	0	0	0	0	0
475	Hindman Elementary School	Knott County	Knott	0	1	0	0	1	0	1	0	0	2
476	Hiseville Elementary School	Barren County	Barren	0	1	0	0	8	0	1	0	0	3
477	Hite Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0
478	Hodgenville Elementary School	LaRue County	LaRue	0	0	0	0	6	0	0	0	0	4
479	Holmes High School	Covington Independent	Kenton	0	1	0	0	3	0	0	0	0	1
480	Holy Cross High School	Jefferson County	Jefferson	1	2	0	0	7	0	0	0	0	0
481	Holy Family Elementary School	Diocese of Lexington	Boyd	0	0	0	0	1	0	0	0	0	0
482	Holy Name Elementary School	Henderson County	Henderson	0	0	0	0	4	0	2	0	0	3
483	Holy Spirit School	Diocese of Louisville	Jefferson	0	0	0	0	1	0	1	0	0	2
484	Holy Trinity Elementary	Diocese of Louisville	Jefferson	0	1	0	0	3	0	3	0	0	6
485	Holy Trinity Elementary and Junior High School	Newport Independent	Campbell	0	4	0	0	4	0	1	0	0	2
486	Home of the Innocents School	Jefferson County	Jefferson	0	0	0	0	0	0	1	0	0	1
487	Hopkins County Central High School	Hopkins County	Hopkins	0	0	0	0	2	0	0	0	0	2
488	Hopkins Elementary School	Somerset Independent	Pulaski	0	0	0	0	0	0	0	0	0	2
489	Hopkinsville High School	Christian County	Christian	0	6	0	0	21	0	0	0	0	0
490	Hopkinsville Middle School	Christian County	Christian	1	3	0	0	9	0	1	0	0	1
491	Hunter Hills Elementary School	Laurel County	Laurel	0	2	0	0	6	0	0	0	0	0
492	Hunttown Elementary School	Woodford County	Woodford	0	0	0	0	1	0	0	0	0	1
493	Hustontville Elementary School	Lincoln County	Lincoln	0	0	0	0	1	0	0	0	0	0
494	Ignite Institute	Boone County	Boone	0	1	0	0	3	0	0	0	0	2
495	iLEAD Academy	No District Affiliation	Unknown	1	3	0	0	3	0	0	0	0	1
496	Immaculate Heart of Mary Elementary School	No District Affiliation (Boone)	Boone	0	0	0	0	1	0	3	0	0	3
497	Indian Hills Elementary School	Christian County	Christian	0	2	0	0	3	0	0	0	0	4
498	Indian Trail Elementary	Jefferson County	Jefferson	0	2	0	0	3	0	0	0	0	1
499	Inez Elementary School	Martin County	Martin	0	0	0	0	0	0	0	0	0	1
500	Iroquois High	Jefferson County	Jefferson	0	1	0	0	1	0	1	0	0	5
501	Irvington Elementary School	Breckinridge County	Breckinridge	0	0	0	0	1	0	0	0	0	1
502	J. Graham Brown School	Jefferson County	Jefferson	0	0	0	0	2	0	0	0	0	0
503	Jackson Academy	Warren County	Warren	0	0	0	0	0	0	0	0	0	1
504	Jackson City School	Jackson Independent	Breathitt	0	0	0	0	2	0	0	0	0	0
505	Jackson County High School	Jackson County	Jackson	0	0	0	0	1	0	0	0	0	1
506	Jackson County Middle School	Jackson County	Jackson	0	0	0	0	3	0	0	0	0	3
507	Jacob Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
508	James A Caywood Elementary School	Kenton County	Kenton	0	0	0	0	2	0	1	0	0	2
509	James A. Cawood Elementary	Harlan County	Harlan	0	0	0	0	1	0	0	0	0	5
510	James E Bazzell Middle School	Allen County	Allen	0	0	0	0	4	0	0	0	0	3
511	James Lane Allen Elementary School	Fayette County	Fayette	0	0	0	0	6	0	0	0	0	2
512	James Madison Middle School	Hopkins County	Hopkins	0	2	0	0	8	0	0	0	0	1
513	James T Alton Middle School	Hardin County	Hardin	1	3	0	0	9	0	0	0	0	1
514	Jamestown Elementary School	Russell County	Russell	0	0	0	0	6	0	1	0	0	1
515	Jefferson County High	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	1
516	Jefferson County Traditional Middle	Jefferson County	Jefferson	0	1	0	0	3	0	0	0	0	1
517	Jefferson Elementary School	Henderson County	Henderson	0	1	0	0	1	0	1	0	0	1
518	Jeffersontown Elementary	Jefferson County	Jefferson	0	0	0	0	1	1	1	0	0	2
519	Jeffersontown High	Jefferson County	Jefferson	0	1	0	0	2	0	0	0	0	1
520	Jenkins Independent School	Jenkins Independent	Pike	0	0	0	0	1	0	0	0	0	0
521	Jennings Creek Elementary	Warren County	Warren	1	1	0	0	5	0	2	0	0	3
522	Jessamine Career and Technology Center	Jessamine County	Jessamine	0	0	0	0	0	0	1	0	0	1
523	Jessamine Early Learning Village	Jessamine County	Jessamine	0	0	0	0	0	0	0	0	0	1
524	Jesse Stuart Elementary School	Hopkins County	Hopkins	0	2	0	0	4	0	2	0	0	3
525	Jessie Clark Middle School	Fayette County	Fayette	0	0	0	0	4	0	0	0	0	2

526	Jody Richards Elementary	Warren County	Warren	0	2	0	0	10	0	1	0	0	1
527	Joe Harrison Carter	Monroe County	Monroe	0	1	0	0	4	0	1	0	0	5
528	John Hardin High School	Hardin County	Hardin	0	4	0	0	14	0	1	0	0	3
529	John M. Stumbo Elementary School	Floyd County	Floyd	0	0	0	0	1	0	1	0	0	2
530	John Paul II Academy	Diocese of Louisville	Jefferson	0	0	0	0	2	0	0	0	0	0
531	John Paul III Catholic School	Diocese of Owensboro	Union	0	0	0	0	0	0	1	0	0	2
532	John W. Bate Middle School	Danville Independent	Boyle	0	2	0	0	2	0	0	0	0	0
533	Johns Creek Elementary School	Pike County	Pike	0	0	0	0	1	0	2	0	0	2
534	Johnson Central High School	Johnson County	Johnson	1	1	0	0	13	0	0	0	0	1
535	Johnson County Middle School	Johnson County	Johnson	0	0	0	0	3	0	0	0	0	0
536	Johnson Elementary School (Fort Thomas)	Fort Thomas Independent	Campbell	0	1	0	0	4	0	0	0	0	3
537	Johnson Elementary School (Laurel)	Laurel County	Laurel	0	1	0	0	2	0	0	0	0	1
538	Johnson Traditional Middle	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0
539	Johnsontown Road Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	1	0	0	2
540	Jonathan Elementary School	Marshall County	Marshall	0	2	0	0	2	0	0	0	0	1
541	Jones Fork Elementary School	Knott County	Knott	0	0	0	0	0	0	0	0	0	2
542	Jones Park Elementary	Casey County	Casey	1	1	0	0	3	1	1	0	0	1
543	Julius Marks Elementary School	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	0
544	Junction City Elementary School	Boyle County	Boyle	1	1	0	0	3	0	1	0	0	1
545	June Buchanan School	Knott County	Knott	0	1	0	0	2	0	0	0	0	4
546	Kammerer Middle	Jefferson County	Jefferson	0	2	0	0	2	0	1	0	0	3
547	Kennedy Montessori Elementary	Jefferson County	Jefferson	0	0	0	0	3	0	1	0	0	1
548	Kenneth D. King Middle School	Mercer County	Mercer	0	2	0	0	3	0	0	0	0	2
549	Kenton Elementary School	Kenton County	Kenton	0	1	0	0	1	0	0	0	0	1
550	Kentucky Christian Academy	No District Affiliation (Taylor)	Taylor	0	1	0	0	3	0	1	0	0	3
551	Kentucky Country Day School	Jefferson County	Jefferson	0	2	0	0	8	0	0	0	0	2
552	Kenwood Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0
553	Kenwood Station Elementary School	Oldham County	Oldham	0	0	0	0	1	0	0	0	0	0
554	Kerrick Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	0
555	Kimper Elementary School	Pike County	Pike	0	0	0	0	1	0	0	0	0	0
556	Kingsolver Elementary School	Fort Knox Independent	Hardin	0	0	0	0	1	0	0	0	0	0
557	Kirksville Elementary School	Madison County	Madison	0	1	0	0	2	0	0	0	0	1
558	Kit Carson Elementary School	Madison County	Madison	0	0	0	0	1	0	1	0	0	1
559	Klondike Lane Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	3
560	Knight Middle	Jefferson County	Jefferson	0	1	0	0	2	0	0	0	0	0
561	Knott County Central High School	Knott County	Knott	0	2	0	0	6	0	2	0	0	10
562	Kyrook Elementary School	Edmonson County	Edmonson	0	0	0	0	3	0	1	0	0	2
563	Lafayette High School	Fayette County	Fayette	0	0	0	0	32	0	0	0	0	1
564	Lake Cumberland Youth Development Center	Wayne County	Wayne	0	0	0	0	0	0	0	0	0	1
565	Lakeside Christian Academy	No District Affiliation (Rowan)	Rowan	0	0	0	0	0	0	1	0	0	2
566	Lakewood Elementary School	Hardin County	Hardin	0	0	0	0	2	1	3	0	0	5
567	Lancaster Elementary School	Garrard County	Garrard	0	1	0	0	1	0	0	0	0	3
568	Landmark Christian Academy	No District Affiliation (Jefferson)	Jefferson	0	3	0	0	5	0	0	0	0	0
569	Lansdowne Elementary School	Fayette County	Fayette	0	0	0	0	7	0	0	0	0	0
570	Larry A. Ryle High School	Boone County	Boone	0	3	0	0	14	0	2	0	0	5
571	LaRue County High School	LaRue County	LaRue	0	1	0	0	7	0	2	0	0	5
572	LaRue County Middle School	LaRue County	LaRue	1	2	0	0	6	0	0	0	0	2
573	Lassiter Middle	Jefferson County	Jefferson	0	0	0	0	2	0	0	0	0	1
574	Latonia Elementary School	Covington Independent	Kenton	0	0	0	0	0	0	1	0	0	1
575	Lawrence County High School	Lawrence County	Lawrence	0	0	0	0	2	0	1	0	0	3
576	Lebanon Elementary School	Marion County	Marion	0	1	0	0	1	0	1	0	0	3
577	Lebanon Junction Elementary	Bullitt County	Bullitt	0	0	0	0	1	0	0	0	0	1
578	Lee County Elementary School	Lee County	Lee	0	0	0	0	1	0	0	0	0	0
579	Lee County Middle High School	Lee County	Lee	0	1	0	0	4	0	0	0	0	0

580	Leestown Middle School	Fayette County	Fayette	0	0	0	0	17	0	0	0	0	1
581	Legrande Elementary School	Hart County	Hart	0	2	0	7	1	2	0	0	4	
582	Leslie County High School	Leslie County	Leslie	0	0	0	3	0	0	0	0	4	
583	Letcher County Central High School	Letcher County	Letcher	0	0	0	4	0	1	0	0	2	
584	Letcher Elementary School	Letcher County	Letcher	0	0	0	0	0	1	0	0	4	
585	Lewis County Central Elementary School	Lewis County	Lewis	0	0	0	1	0	0	0	0	1	
586	Lewis County High School	Lewis County	Lewis	0	0	0	0	0	0	0	0	2	
587	Lewisburg Elementary School	Logan County	Logan	0	1	0	3	0	0	0	0	1	
588	Lexington Catholic High School	Diocese of Lexington	Fayette	0	0	0	16	0	0	0	0	3	
589	Lexington Christian Academy	No District Affiliation (Fayette)	Fayette	0	0	0	19	0	0	1	5		
590	Lexington Traditional Magnet School	Fayette County	Fayette	0	0	0	2	0	0	0	0	0	
591	Lexington Universal Academy	No District Affiliation (Fayette)	Fayette	0	0	0	1	0	0	0	0	0	
592	Liberty Elementary School	Casey County	Casey	0	0	0	2	0	0	0	0	2	
593	Lighthouse Academy	Warren County	Warren	0	0	0	2	0	1	0	0	1	
594	Lincoln County High School	Lincoln County	Lincoln	0	1	0	7	0	0	0	0	4	
595	Lincoln County Middle School	Lincoln County	Lincoln	0	2	0	7	0	0	0	0	0	
596	Lincoln Elementary Performing Arts	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	1	
597	Lincoln Elementary School	Simpson County	Simpson	0	1	0	3	0	1	0	0	1	
598	Lincoln Trail Elementary School	Hardin County	Hardin	0	3	0	3	0	4	0	0	4	
599	Lindeman Elementary School	Erlanger-Elsmere Independent	Kenton	0	0	0	0	0	0	0	0	1	
600	Livernore Elementary School	McLean County	McLean	0	0	0	0	0	0	0	0	2	
601	Livingston Central High School	Livingston County	Livingston	0	2	0	10	0	1	0	0	3	
602	Livingston County Middle School	Livingston County	Livingston	0	2	0	5	0	1	0	0	1	
603	Lloyd High School	Erlanger-Elsmere Independent	Kenton	0	0	0	1	1	1	0	0	2	
604	Locust Grove Elementary School	Oldham County	Oldham	0	0	0	0	0	0	0	0	2	
605	Logan County High School	Logan County	Logan	0	2	0	14	0	1	0	0	2	
606	London Christian Academy	No District Affiliation (Laurel)	Laurel	0	0	0	1	0	0	0	0	0	
607	London Elementary School	Laurel County	Laurel	0	0	0	3	0	2	0	0	6	
608	Lone Jack School Center	Bell County	Bell	0	3	0	3	0	0	0	0	0	
609	Lone Oak Elementary School	McCracken County	McCracken	0	0	0	3	0	0	0	0	2	
610	Lone Oak Middle School	McCracken County	McCracken	0	0	0	2	0	0	0	0	0	
611	Longbranch Elementary School	Boone County	Boone	0	5	0	5	0	0	0	0	1	
612	Longest Elementary	Muhlenberg County	Muhlenberg	0	1	0	1	0	0	0	0	0	
613	Lost River Elementary	Warren County	Warren	0	1	0	3	0	0	0	0	1	
614	Louisa East Elementary School	Lawrence County	Lawrence	0	1	0	1	0	1	0	0	1	
615	Louisa Middle School	Lawrence County	Lawrence	0	0	0	2	0	0	0	0	0	
616	Louisa West Elementary School	Lawrence County	Lawrence	0	0	0	1	0	0	0	0	0	
617	Louisville Collegiate School	No District Affiliation (Jefferson)	Jefferson	1	2	0	3	0	1	0	0	2	
618	Louisville Male High	Jefferson County	Jefferson	0	4	0	18	0	0	0	0	4	
619	Lowie Elementary	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0	
620	Ludlow High School	Ludlow Independent	Kenton	0	1	0	2	0	0	0	0	0	
621	Luhr Elementary	Jefferson County	Jefferson	0	1	0	2	0	0	0	0	1	
622	Lynn Camp Schools	Knox County	Knox	0	2	0	3	0	1	0	0	3	
623	Lyon County Elementary School	Lyon County	Lyon	0	0	0	0	0	0	0	0	3	
624	Lyon County High School	Lyon County	Lyon	0	1	0	4	0	0	0	0	3	
625	Lyon County Middle School	Lyon County	Lyon	0	0	0	2	0	0	0	0	1	
626	Madison Central High School	Madison County	Madison	1	5	0	24	0	2	0	0	6	
627	Madison County Area Technology Center	Kentucky Technical System	Madison	0	0	0	0	0	0	0	0	1	
628	Madison Kindergarten Academy	Madison County	Madison	0	2	0	2	0	2	0	0	2	
629	Madison Middle School	Madison County	Madison	0	1	0	3	0	0	0	0	2	
630	Madison Southern High School	Madison County	Madison	0	2	0	11	0	1	0	0	2	
631	Madisonville North Hopkins High School	Hopkins County	Hopkins	0	3	0	12	0	2	0	0	2	
632	Manchester Elementary School	Clay County	Clay	0	0	0	0	0	0	0	0	3	
633	Mapleton Elementary School	Montgomery County	Montgomery	0	0	0	3	0	0	0	0	0	

634	Marie Gattton Phillips Elementary	McLean County	McLean	0	1	0	0	1	0	0	0	0	1
635	Marie Roberts	Breathitt County	Breathitt	0	0	0	0	1	0	0	0	0	1
636	Marion C. Moore School	Jefferson County	Jefferson	0	2	0	0	5	0	0	0	0	3
637	Marion County High School	Marion County	Marion	1	1	0	0	9	1	1	0	0	5
638	Marion County Knight Academy	Marion County	Marion	0	0	0	0	2	0	0	0	0	1
639	Marnel C. Moorman School	Shelby County	Shelby	0	1	0	0	4	0	0	0	0	1
640	Marshall County High School	Marshall County	Marshall	0	9	0	0	25	0	0	3	0	6
641	Martha Layne Collins High School	Shelby County	Shelby	0	3	0	0	11	0	0	0	0	1
642	Martin County High School	Martin County	Martin	0	1	0	0	6	0	0	0	0	2
643	Martin County Middle School	Martin County	Martin	0	0	0	0	3	0	0	0	0	0
644	Martin Luther King Jr. Elementary School	Christian County	Christian	1	2	0	0	7	0	2	0	0	6
645	Mary A. Goetz Elementary School	Ludlow Independent	Kenton	0	0	0	0	0	0	0	0	0	1
646	Mary Carrico Memorial Elementary School	No District Affiliation (Davies)	Davies	0	0	0	0	1	0	0	0	0	0
647	Mary G. Hogsett Primary School	Danville Independent	Boyle	0	2	0	0	2	0	1	0	0	2
648	Mary Queen of the Holy Rosary School	Diocese of Lexington	Fayette	0	2	0	0	2	1	1	0	0	1
649	Mary Ryan Academy	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0
650	Mary Todd Elementary School	Fayette County	Fayette	0	0	0	0	8	0	0	0	0	0
651	Maryville Elementary School	Bullitt County	Bullitt	0	0	0	0	1	0	0	0	0	2
652	Mason Corinth Elementary	Grant County	Grant	0	0	0	0	1	1	0	0	1	1
653	Mason County High School	Mason County	Mason	0	0	0	0	1	0	0	0	0	0
654	Maupin Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
655	Maurice Bowling Middle School	Owen County	Owen	0	1	0	0	3	0	0	0	0	2
656	Maxwell Elementary School	Fayette County	Fayette	0	0	0	0	6	0	0	0	0	1
657	May Valley Elementary School	Floyd County	Floyd	0	0	0	0	1	0	0	0	0	0
658	Mayfield Elementary School	Mayfield Independent	Graves	0	2	0	0	7	0	1	0	0	4
659	Mayfield High School	Mayfield Independent	Graves	0	2	0	0	2	0	0	0	0	0
660	Mayfield Middle School	Mayfield Independent	Graves	0	0	0	0	2	0	0	0	0	2
661	MC@HOME	Marshall County	Marshall	0	0	0	0	1	0	0	0	0	0
662	McCracken County High School	McCracken County	McCracken	0	1	0	0	12	0	0	0	0	2
663	McCreary Central High School	McCreary County	McCreary	0	0	0	0	3	0	0	0	0	2
664	McCreary County Middle School	McCreary County	McCreary	0	0	0	0	7	0	0	0	0	3
665	McDaniel Learning Center	Laurel County	Laurel	0	0	0	0	1	0	0	0	0	1
666	McFerran Preparatory Academy	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
667	McKee Elementary School	Jackson County	Jackson	0	1	0	0	1	0	0	0	0	1
668	Mckell Elementary School	Greenup County	Greenup	0	0	0	0	0	0	0	0	0	4
669	Mckell Middle School	Greenup County	Greenup	0	0	0	0	3	0	0	0	0	0
670	McLean County Alternative Center	McLean County	McLean	0	0	0	0	0	0	1	0	0	1
671	McLean County High School	McLean County	McLean	0	1	0	0	5	0	0	2	0	2
672	McLean County Middle School	McLean County	McLean	0	1	0	0	4	0	0	0	0	0
673	McNabb Elementary School	Paducah Public	McCracken	0	0	0	0	1	0	0	0	0	0
674	McNabb Middle School	Montgomery County	Montgomery	2	3	0	0	8	0	0	0	0	2
675	Meade County High School	Meade County	Meade	1	2	0	0	15	0	2	0	0	7
676	Meadow Lands Elementary School	Davies County	Davies	0	0	0	0	1	0	1	0	0	1
677	Meadowthorpe Elementary School	Fayette County	Fayette	0	0	0	0	0	0	0	0	0	0
678	Medora Elementary	Jefferson County	Jefferson	0	0	0	0	1	1	1	0	0	1
679	Meece Middle School	Somerset Independent	Pulaski	0	0	0	0	0	0	0	0	0	2
680	Memorial Education Center	Pulaski County	Pulaski	0	0	0	0	0	0	0	0	0	1
681	Memorial Elementary School	Hart County	Hart	0	1	0	0	7	1	2	0	0	7
682	Menifee County High School	Menifee County	Menifee	0	0	0	0	1	0	0	0	0	0
683	Menifee Elementary School	Menifee County	Menifee	0	0	0	0	0	0	2	0	0	2
684	Mercer County Elementary School	Mercer County	Mercer	0	0	0	0	5	1	2	0	0	4
685	Mercer County Intermediate School	Mercer County	Mercer	0	0	0	0	2	0	0	0	0	1
686	Mercer County Senior High School	Mercer County	Mercer	1	2	0	0	13	0	0	0	0	0
687	Mercy Academy High School	Jefferson County	Jefferson	0	4	0	0	14	0	2	0	0	6

688	Meredith Dunn School	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	2
689	Metcalfe County Elementary School	Metcalfe County	Metcalfe	0	0	0	0	3	0	0	0	5
690	Metcalfe County High School	Metcalfe County	Metcalfe	0	3	0	0	11	0	0	0	3
691	Metcalfe County Middle School	Metcalfe County	Metcalfe	0	0	0	0	1	0	0	0	0
692	Mezeek Middle	Jefferson County	Jefferson	0	1	0	0	2	0	1	0	2
693	Middlesboro Elementary School	Middlesboro Independent	Bell	0	0	0	0	1	0	0	0	4
694	Middlesboro High School	Middlesboro Independent	Bell	1	1	0	0	2	0	1	0	1
695	Middlesboro Middle School	Middlesboro Independent	Bell	0	0	0	0	1	0	0	0	1
696	Middletown Elementary	Jefferson County	Jefferson	0	1	0	0	2	0	0	0	0
697	Millard School	Pike County	Pike	0	0	0	0	1	0	0	0	1
698	Millbrooke Elementary School	Christian County	Christian	1	5	0	0	21	1	1	0	12
699	Millcreek Elementary School	Fayette County	Fayette	0	0	0	0	5	0	0	0	0
700	Minor Daniels Academy	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	1
701	Minors Lane Elementary	Jefferson County	Jefferson	0	1	0	0	3	0	1	0	1
702	MLK Jr. Academy for Excellence	Fayette County	Fayette	0	0	0	0	0	0	0	0	0
703	Model Elementary	Model Laboratory Schools at ECU	Madison	0	0	0	0	7	0	0	0	0
704	Model High School	Model Laboratory Schools at ECU	Madison	0	0	0	0	1	0	0	0	0
705	Monroe County High School	Monroe County	Monroe	0	4	0	0	10	0	1	0	4
706	Monroe County Middle School	Monroe County	Monroe	1	1	0	0	8	0	0	0	0
707	Montgomery County High School	Montgomery County	Montgomery	0	2	0	0	12	0	1	0	2
708	Monticello Elementary School	Wayne County	Wayne	0	2	0	0	11	1	1	0	6
709	Morgan Central Elementary School	Morgan County	Morgan	0	0	0	0	1	0	0	0	0
710	Morgan County High School	Morgan County	Morgan	0	0	0	0	1	0	0	0	0
711	Morgan Elementary School	Paducah Public	McCracken	0	0	0	0	1	0	0	0	0
712	Morgantown Elementary School	Butler County	Butler	0	1	0	0	8	0	1	0	7
713	Morningside Elementary School	Elizabethtown Independent	Hardin	0	1	0	0	3	0	3	0	3
714	Morton Middle School	Fayette County	Fayette	0	0	0	0	8	0	0	0	0
715	Mount Sterling Elementary School	Montgomery County	Montgomery	0	1	0	0	2	0	0	0	1
716	Mountain View Elementary	Leslie County	Leslie	0	0	0	0	2	0	0	0	3
717	Mt. Vernon Elementary	Rockcastle County	Rockcastle	0	0	0	0	1	0	0	0	4
718	MT. Washington Elementary	Bullitt County	Bullitt	2	2	0	0	5	1	1	0	1
719	MT. Washington Middle School	Bullitt County	Bullitt	0	1	0	0	3	0	0	0	3
720	Muhlenberg County High School	Muhlenberg County	Muhlenberg	2	4	0	0	6	0	0	0	2
721	Muhlenberg North Middle	Muhlenberg County	Muhlenberg	0	1	0	0	4	0	0	0	1
722	Muhlenberg South Elementary	Muhlenberg County	Muhlenberg	0	0	0	0	3	0	0	0	1
723	Muhlenberg South Middle School	Muhlenberg County	Muhlenberg	0	3	0	0	5	0	0	0	0
724	Mullins Elementary School	Pike County	Pike	0	0	0	0	0	0	1	0	4
725	Munfordville Elementary School	Hart County	Hart	1	1	0	0	8	0	0	0	2
726	Murray Elementary School	Murray Independent	Calloway	0	0	0	0	4	0	0	0	0
727	Murray High School	Murray Independent	Calloway	0	1	0	0	8	0	0	0	4
728	Murray Middle School	Murray Independent	Calloway	0	3	0	0	13	0	2	0	2
729	Nancy Elementary School	Pulaski County	Pulaski	0	2	0	0	2	0	0	0	1
730	Nativity Academy at St. Boniface	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	0	0	1	0	1
731	Nelson County High School	Nelson County	Nelson	0	5	0	0	17	0	2	0	7
732	New Haven Elementary School	Boone County	Boone	0	1	0	0	3	0	1	0	3
733	New Highland Elementary School	Hardin County	Hardin	0	1	0	0	2	1	1	0	1
734	New Hope Academy	No District Affiliation (Johnson)	Johnson	0	0	0	0	1	0	0	0	0
735	Newburg Middle	Jefferson County	Jefferson	0	0	0	0	2	0	0	0	1
736	Newcomer Academy	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0
737	Newport Central Catholic High School	Diocese of Covington	Campbell	0	1	0	0	4	0	0	0	1
738	Newport High School	Newport Independent	Campbell	0	0	0	0	2	0	0	0	1
739	Newport Intermediate School	Newport Independent	Campbell	0	0	0	0	0	0	1	0	1
740	Newport School of Innovation	Newport Independent	Campbell	0	0	0	0	3	0	0	0	0
741	Newton Parrish Elementary School	Owensboro Independent	Davies	0	0	0	0	2	0	1	0	3

742	Niagara Elementary School	Henderson County	Henderson	0	0	0	0	1	0	0	0	0	1
743	Nicholas County Elementary School	Nicholas County	Nicholas	0	0	0	0	1	0	0	0	0	1
744	Nicholasville Elementary School	Jessamine County	Jessamine	0	0	0	0	1	0	0	0	0	0
745	Nichols Elementary	Bullitt County	Bullitt	0	0	0	0	0	1	2	0	0	2
746	Ninth District Elementary	Covington Independent	Kenton	0	0	0	0	0	0	0	1	0	2
747	Noe Middle	Jefferson County	Jefferson	0	0	0	0	5	0	0	0	0	2
748	North Bullitt High School	Bullitt County	Bullitt	0	2	0	0	7	0	0	0	0	3
749	North Butler Elementary	Butler County	Butler	0	0	0	0	1	0	1	0	0	1
750	North Calloway Elementary School	Calloway County	Calloway	0	0	0	0	7	0	0	0	0	1
751	North Hancock Elementary School	Hancock County	Hancock	0	0	0	0	1	1	1	0	0	3
752	North Hardin Christian School	No District Affiliation (Hardin)	Hardin	0	0	0	0	1	0	0	0	0	3
753	North Hardin High School	Hardin County	Hardin	0	2	0	0	15	0	0	0	0	5
754	North Jackson Elementary	Barren County	Barren	0	0	0	0	3	0	0	0	0	4
755	North Laurel High School	Laurel County	Laurel	0	1	0	0	28	0	0	0	0	2
756	North Laurel Middle School	Laurel County	Laurel	1	2	0	0	8	1	2	0	0	6
757	North Livingston Elementary School	Livingston County	Livingston	0	1	0	0	1	0	0	0	0	0
758	North Magoffin Elementary	Magoffin County	Magoffin	0	0	0	0	1	0	0	0	0	0
759	North Marshall Middle School	Marshall County	Marshall	0	0	0	0	1	0	1	0	0	2
760	North Middle School	Hardin County	Hardin	0	1	0	0	3	0	0	0	0	2
761	North Middletown Elementary School	Bourbon County	Bourbon	0	0	0	0	0	0	1	0	0	1
762	North Oldham High School	Oldham County	Oldham	0	0	0	0	2	0	1	0	0	2
763	North Oldham Middle School	Oldham County	Oldham	0	0	0	0	2	0	0	0	0	0
764	North Park Elementary School	Hardin County	Hardin	0	0	0	0	2	0	1	0	0	4
765	North Pointe Elementary School	Boone County	Boone	0	2	0	0	2	0	0	0	0	0
766	North Todd Elementary School	Todd County	Todd	0	0	0	0	1	0	0	0	0	3
767	North Warren Elementary	Warren County	Warren	0	0	0	0	4	0	0	1	0	3
768	North Washington Elementary School	Washington County	Washington	0	0	0	0	1	0	0	0	0	1
769	Northern Elementary School (Fayette)	Fayette County	Fayette	0	0	0	0	4	0	0	0	0	0
770	Northern Elementary School (Pendleton)	Pendleton County	Pendleton	0	0	0	0	0	0	1	0	0	2
771	Northern Elementary School (Pulaski)	Pulaski County	Pulaski	1	0	0	0	2	0	0	0	0	1
772	Northern Elementary School (Scott)	Scott County	Scott	0	0	0	0	0	0	0	0	0	1
773	Northern Middle School (Pulaski)	Pulaski County	Pulaski	0	0	0	0	6	0	0	0	0	1
774	Northside Baptist Christian School	No District Affiliation (Graves)	Graves	0	0	0	0	2	0	0	0	0	0
775	Northside Early Childhood Center	Palestine Independent	Shelby	0	0	0	0	2	0	0	0	0	2
776	Northview Elementary	Montgomery County	Montgomery	0	0	0	0	2	0	0	0	0	0
777	Norton Commons Elementary	Jefferson County	Jefferson	0	0	0	0	2	0	1	0	0	1
778	Norton Elementary	Jefferson County	Jefferson	0	2	0	0	3	0	1	0	0	2
779	Notre Dame Academy Elementary School	Jefferson County	Jefferson	0	3	0	0	7	0	1	0	0	4
780	Notre Dame Academy High School	Kenton County	Kenton	0	1	0	0	4	0	0	0	0	2
781	Nur Islamic School of Louisville	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	0	0	0	0	0	0
782	Oak Grove Elementary School	Whitley County	Whitley	0	0	0	0	1	0	0	0	0	0
783	Oak Hill Elementary School	Pulaski County	Pulaski	0	0	0	0	2	0	0	0	0	0
784	Oakland Elementary	Warren County	Warren	0	3	0	0	6	0	0	0	0	1
785	Oakview Elementary School	Ashland Independent	Boyd	0	1	0	0	1	0	0	0	0	0
786	Ockerman Elementary School	Boone County	Boone	0	0	0	0	1	0	0	0	0	0
787	Ockerman Middle School	Boone County	Boone	1	1	0	0	2	0	0	0	0	1
788	Ohio County High School	Ohio County	Ohio	0	2	0	0	7	0	1	0	0	3
789	Okolona Elementary	Ohio County	Ohio	0	0	0	0	1	0	0	0	0	3
790	Okolona Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	1
791	Old Kentucky Home Middle School	Nelson County	Nelson	0	3	0	0	7	0	1	0	0	2
792	Old Mill Elementary School	Bullitt County	Bullitt	0	0	0	0	1	0	0	0	0	1
793	Oldham County High School	Oldham County	Oldham	0	1	0	0	7	0	1	0	0	2
794	Oldham County Middle School	Oldham County	Oldham	0	0	0	0	0	0	2	0	0	3
795	Oldham County Preschool	Oldham County	Oldham	0	0	0	0	0	0	0	0	0	2

796	Olmostead Elementary School	Logan County	Logan	0	2	0	0	6	0	0	0	2
797	Oneida Baptist Institute	No District Affiliation (Clay)	Clay	0	0	0	0	0	1	1	0	1
798	Oneida Elementary School	Logan County	Logan	0	0	0	0	2	0	0	0	0
799	Oran P Lawler Elementary School	Grayson County	Grayson	0	0	0	0	1	0	0	0	0
800	Our Lady of Lourdes Elementary School	Jefferson County	Jefferson	0	2	0	0	11	0	0	0	1
801	Our Savior Lutheran School	No District Association (Jefferson)	Jefferson	1	1	0	3	1	1	1	0	3
802	Overdale Elementary School	Bullitt County	Bullitt	0	0	0	0	1	0	0	0	1
803	Owen County Elementary/Primary School	Owen County	Owen	1	2	0	2	0	0	0	0	3
804	Owen County High School	Owen County	Owen	1	3	0	4	0	1	0	0	4
805	Owensboro Catholic High School	Diocese of Owensboro	Davies	0	5	0	12	0	0	0	0	3
806	Owensboro Catholic Middle School	Diocese of Owensboro	Davies	0	1	0	3	1	1	1	0	2
807	Owensboro Catholic School K-3 Campus	Owensboro Independent	Davies	0	0	0	0	0	1	0	0	1
808	Owensboro High School	Owensboro Independent	Davies	0	2	0	7	1	5	0	0	7
809	Owensboro Innovation Academy	Owensboro Independent	Davies	0	1	0	3	0	0	0	0	1
810	Owensboro Innovation Middle School	Owensboro Independent	Davies	0	0	0	1	0	1	0	0	1
811	Owensboro Middle School	Owensboro Independent	Davies	0	0	0	3	0	2	0	0	2
812	Owsley County Elementary School	Owsley County	Owsley	0	0	0	2	0	0	0	0	3
813	Owsley County High School	Owsley County	Owsley	0	0	0	2	0	0	0	0	2
814	Paces Creek Elementary	Clay County	Clay	0	0	0	2	0	0	0	0	1
815	Paducah Head Start Preschool	Paducah Independent	McCracken	0	0	0	0	0	0	0	0	1
816	Paducah Middle School	Paducah Public	McCracken	0	0	0	3	0	0	0	0	1
817	Paducah Tilghman High School	McCracken County	McCracken	0	0	0	2	0	0	0	0	0
818	Page School Center	Bell County	Bell	0	0	0	2	0	0	0	0	7
819	Paint Lick Elementary School	Garrard County	Garrard	0	0	0	0	0	0	0	0	1
820	Painted Stone Elementary	Shelby County	Shelby	0	0	0	3	0	0	0	0	4
821	Paintsville Elementary School	Paintsville Independent	Johnson	1	1	0	1	0	0	0	0	0
822	Paintsville High School	Paintsville Independent	Johnson	0	0	0	1	0	0	0	0	0
823	Panther Academy	Elizabethtown Independent	Hardin	0	0	0	0	0	2	0	0	2
824	Paris Elementary School	Paris Independent	Bourbon	0	0	0	0	0	0	1	0	1
825	Paris High School	Paris Independent	Bourbon	0	3	0	5	0	0	0	0	1
826	Paris Middle School	Paris Independent	Bourbon	0	0	0	1	0	1	0	0	1
827	Park City Elementary School	Barren County	Barren	0	0	0	3	0	0	0	0	3
828	Parker-Bennett-Curry Elementary School	Bowling Green Independent	Warren	0	1	0	5	0	0	0	0	0
829	Paul G. Blazer High School	Ashland Independent	Boyd	0	6	0	10	0	0	0	0	2
830	Paul Laurence Dunbar High School	Fayette County	Fayette	0	0	0	35	0	0	0	0	0
831	Payneville Elementary School	Meade County	Meade	0	0	0	2	0	1	0	0	2
832	Peace Academy	Jefferson County	Jefferson	0	0	0	3	0	0	0	0	0
833	Peaks Mill Elementary	Franklin County	Franklin	0	0	0	0	0	1	0	0	2
834	Pembroke Elementary School	Christian County	Christian	0	0	0	4	0	1	0	0	1
835	Pendleton County High School	Pendleton County	Pendleton	0	2	0	4	1	6	0	0	8
836	Perry County Alternative School	Perry County	Perry	0	0	0	0	0	0	0	0	1
837	Perry County Central High School	Perry County	Perry	0	2	0	9	0	0	0	0	8
838	Perryville Elementary School	Boyle County	Boyle	0	0	0	1	0	1	0	0	2
839	Pewee Valley Junior Academy	Oldham County	Oldham	0	0	0	0	0	0	0	0	1
840	Phelps Elementary School	Pike County	Pike	0	0	0	1	0	0	0	0	0
841	Phillip Sharp Middle School	Pendleton County	Pendleton	0	1	0	1	1	3	0	0	4
842	Picadome Elementary School	Fayette County	Fayette	0	0	0	2	0	0	0	0	1
843	Pike County Central High School	Pike County	Pike	0	0	0	3	0	0	0	0	1
844	Pikeville High School	Pikeville Independent	Pike	0	0	0	1	0	0	0	0	2
845	Pine Knot Elementary School	McCreary County	McCreary	0	0	0	4	0	0	0	0	2
846	Piner Elementary School	Kenton County	Kenton	0	0	0	0	0	1	0	0	1
847	Pineville Independent School	Pineville Independent	Bell	0	1	0	7	0	3	0	0	4
848	Plano Elementary	Warren County	Warren	0	1	0	3	0	0	0	0	1
849	Pleasant Grove Elementary School	Bullitt County	Bullitt	0	0	0	2	0	0	0	0	0

850	Pleasant View Elementary School	Whitley County	Whitley	0	0	0	0	1	0	0	0	0	0	0	0	0
851	Pleasure Ridge Park High	Jefferson County	Jefferson	1	1	0	0	6	0	0	0	0	0	0	0	1
852	Poage Elementary School	Ashland Independent	Boyd	0	0	0	0	1	0	0	0	0	0	0	0	2
853	Ponderosa Elementary School	Boyd County	Boyd	0	0	0	0	2	0	0	0	0	0	0	0	0
854	Porter Elementary School	Johnson County	Johnson	0	0	0	0	3	0	0	0	0	0	0	0	0
855	Portland Christian School	No District Affiliation (Jefferson)	Jefferson	0	2	0	2	0	0	0	0	0	0	0	0	0
856	Potter Gray Elementary	Bowling Green Independent	Warren	1	2	0	0	3	1	2	0	0	0	0	0	4
857	Powell County High School	Powell County	Powell	0	0	0	0	2	0	0	0	0	0	0	0	0
858	Powell County Middle School	Powell County	Powell	0	0	0	0	3	0	0	0	0	0	0	0	1
859	Presentation Academy High School	Jefferson County	Jefferson	1	4	0	0	7	0	0	0	0	0	0	0	0
860	Prestonsburg Elementary School	Floyd County	Floyd	0	0	0	0	4	0	0	0	0	0	0	0	4
861	Prestonsburg High School	Floyd County	Floyd	0	1	0	0	2	0	0	0	0	0	0	0	2
862	Prichard Elementary School	Carter County	Carter	0	0	0	0	1	0	0	0	0	0	0	0	1
863	Pride Elementary School	Hopkins County	Hopkins	1	1	0	0	1	0	0	0	0	0	0	0	0
864	Providence Elementary School	Webster County	Webster	0	1	0	0	1	0	0	2	0	0	0	0	4
865	Providence Montessori School	No District Affiliation (Fayette)	Fayette	0	0	0	0	3	0	0	0	0	0	0	0	1
866	Pulaski County High School	Pulaski County	Pulaski	0	8	0	0	16	0	0	0	0	0	0	0	0
867	Pulaski Elementary School	Pulaski County	Pulaski	0	2	0	0	6	1	3	0	0	0	0	0	5
868	R C Hinsdale Elementary School	Kenton County	Kenton	0	0	0	0	1	1	2	0	0	0	0	0	3
869	R E Stevenson Elementary School	Russellville Independent	Logan	0	0	0	0	5	1	3	0	0	0	0	0	4
870	Raceland Worthington High School	Raceland Independent	Greenup	0	0	0	0	6	0	0	0	0	0	0	0	2
871	Raceland Worthington Middle School	Raceland Independent	Greenup	0	0	0	0	2	0	0	0	0	0	0	0	1
872	Radcliff Elementary School	Hardin County	Hardin	0	0	0	0	1	0	0	0	0	0	0	0	1
873	Ramey Estep High School	Boyd County	Boyd	0	0	0	0	0	0	1	1	0	0	0	0	1
874	Ramsey Middle	Jefferson County	Jefferson	0	2	0	0	4	0	0	0	0	0	0	0	1
875	Randall K. Cooper High School	Boone County	Boone	2	3	0	0	6	0	0	0	0	0	0	0	3
876	Red Bird Mission School	No District Affiliation (Clay)	Clay	0	0	0	0	0	0	0	0	0	0	0	0	1
877	Red Cross Elementary School	Barren County	Barren	0	3	0	0	7	0	0	2	0	0	0	0	4
878	Red Oak Elementary School	Jessamine County	Jessamine	0	0	0	0	2	0	0	0	0	0	0	0	1
879	Red River Valley Elementary School	Wolfe County	Wolfe	0	0	0	0	1	0	0	0	0	0	0	0	0
880	Reidland Middle School	McCracken County	McCracken	0	0	0	0	1	0	0	0	0	0	0	0	1
881	Rev. Henry E. Baker Sr. Interm. School	Clark County	Clark	0	0	0	0	2	1	2	0	0	0	0	0	2
882	Rich Pond Elementary	Warren County	Warren	0	1	0	0	7	0	0	0	0	0	0	0	4
883	Richardsville Elementary	Warren County	Warren	0	1	0	0	1	0	0	0	0	0	0	0	0
884	Right Fork School Center	Bell County	Bell	0	2	0	0	3	0	0	0	0	0	0	0	2
885	Rineyville Elementary School	Hardin County	Hardin	0	0	0	0	3	0	0	0	0	0	0	0	3
886	Rise STEM Academy for Girls	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	0	0	0	0
887	Rivendell High School	No District Affiliation (Warren)	Warren	0	12	0	0	13	0	0	0	0	0	0	0	1
888	River Ridge Elementary School	Kenton County	Kenton	0	1	0	0	2	0	0	0	0	0	0	0	1
889	Riverview Opportunity Center	Bullitt County	Bullitt	0	1	0	0	1	0	0	0	0	0	0	0	0
890	Robert B. Turner Elementary School	Anderson County	Anderson	0	0	0	0	0	0	0	0	0	0	0	0	3
891	Robert W Combs Elementary School	Perry County	Perry	0	0	0	0	1	0	0	0	0	0	0	0	0
892	Robertson County School	Robertson County	Robertson	0	0	0	0	1	0	0	0	0	0	0	0	8
893	Robinson Elementary School	Perry County	Perry	0	0	0	0	5	0	0	0	0	0	0	0	7
894	Roby Elementary School	Bullitt County	Bullitt	0	0	0	0	0	0	0	0	0	0	0	0	2
895	Rockcastle Academy for Academic Achievement	Rockcastle County	Rockcastle	0	1	0	0	1	0	0	0	0	0	0	0	0
896	Rockcastle County High School	Rockcastle County	Rockcastle	0	2	0	0	12	0	0	0	0	0	0	0	2
897	Rockcastle County Middle School	Rockcastle County	Rockcastle	0	0	0	0	1	0	0	0	0	0	0	0	3
898	Rockfield Elementary	Warren County	Warren	0	0	0	0	5	0	0	0	0	0	0	0	1
899	Roosevelt Perry Elementary	Jefferson County	Jefferson	0	0	0	0	1	0	0	1	0	0	0	0	1
900	Rosa Parks Elementary School	Fayette County	Fayette	0	0	0	0	3	0	0	0	0	0	0	0	2
901	Rose Hill Christian School	No District Affiliation (Boyd)	Boyd	0	0	0	0	2	0	0	0	0	0	0	0	0
902	Rosenwald Dunbar Elementary School	Jessamine County	Jessamine	0	1	0	0	6	0	0	1	0	0	0	0	1
903	Rosspoint Elementary School	Harlan County	Harlan	0	0	0	0	4	0	0	0	0	0	0	0	0

904	Roundstone Elementary School	Rockcastle County	Rockcastle	0	1	0	0	1	0	0	0	0	0	1
905	Rowan County Senior High School	Rowan County	Rowan	0	0	0	0	0	0	0	0	0	0	1
906	Royal Spring Middle School	Scott County	Scott	0	0	0	0	0	0	0	0	0	0	1
907	Russell Cave Elementary School	Fayette County	Fayette	0	0	0	0	0	0	0	0	0	0	1
908	Russell County High School	Russell County	Russell	0	0	0	0	11	0	0	0	0	0	6
909	Russell County Middle School	Russell County	Russell	1	1	0	0	7	0	0	0	0	0	2
910	Russell High School	Russell Independent	Greenup	0	1	0	0	3	0	0	0	0	0	2
911	Russell McDowell Intermediate School	Russell Independent	Russell	0	0	0	0	5	0	0	0	0	0	0
912	Russell Middle School	Russell Independent	Greenup	0	1	0	0	4	0	0	1	0	0	3
913	Russell Primary School	Russell Independent	Greenup	0	0	0	0	1	1	1	1	0	0	3
914	Russell Springs Elementary School	Russell County	Russell	1	1	0	0	4	0	0	0	0	0	1
915	Russellville High School	Russellville Independent	Logan	1	3	0	0	10	0	1	1	0	0	1
916	Russellville Middle School	Russellville Independent	Logan	0	2	0	0	4	1	1	0	0	0	1
917	Rutherford Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	1	0	0	1
918	Ryland Heights Elementary School	Kenton County	Kenton	0	0	0	0	0	0	0	1	0	0	1
919	Sacred Heart Academy	Diocese of Louisville	Jefferson	4	15	0	0	29	0	2	0	0	0	6
920	Sacred Heart Model School	Diocese of Louisville	Jefferson	0	0	0	0	0	0	1	0	0	2	2
921	Saffell Street Elementary School	Anderson County	Anderson	0	1	0	0	3	0	0	0	0	0	1
922	Saint Agatha Academy	Diocese of Lexington	Clark	0	0	0	0	1	0	0	0	0	0	0
923	Saint Agnes Elementary School	Diocese of Covington	Kenton	0	1	0	0	2	0	0	0	0	0	2
924	Saint Agnes School	Diocese of Louisville	Jefferson	0	0	0	0	4	0	0	0	0	0	0
925	Saint Albert the Great School	Diocese of Louisville	Jefferson	0	1	0	0	6	0	0	0	0	0	1
926	Saint Aloysius Elementary School	Oldham County	Oldham	0	0	0	0	1	1	1	0	0	2	2
927	Saint Andrew Academy	Diocese of Louisville	Jefferson	0	0	0	0	1	0	0	0	0	0	0
928	Saint Ann Elementary School	Diocese of Louisville	Nelson	0	0	0	0	0	0	0	0	0	0	1
929	Saint Augustine Parish School	Diocese of Louisville	Marion	0	0	0	0	0	0	2	0	0	3	3
930	Saint Bernard Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	5	0	0	0	0	0	1
931	Saint Catherine of Alexandria Academy	Diocese of Louisville	Nelson	0	0	0	0	1	0	0	0	0	0	0
932	Saint Dominic Elementary School	Diocese of Louisville	Washington	1	4	0	0	5	0	0	0	0	0	2
933	Saint Edward Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	3	0	0	0	0	0	0
934	Saint Francis DeSales High School	Diocese of Louisville	Jefferson	0	1	0	0	4	0	1	0	0	1	1
935	Saint Francis High School	Diocese of Louisville	Jefferson	0	0	0	0	0	0	0	0	0	0	1
936	Saint Francis of Assisi Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	2	0	0	0	0	0	1
937	Saint Gabriel the Archangel Elementary School	Diocese of Louisville	Jefferson	0	1	0	0	5	0	0	0	0	2	2
938	Saint James Academy School	Diocese of Louisville	Jefferson	0	0	0	0	0	0	1	0	0	1	1
939	Saint Joseph's School at Cold Spring	Diocese of Covington	Campbell	0	0	0	0	1	0	0	0	0	0	0
940	Saint Margaret Mary Catholic School	Diocese of Louisville	Jefferson	0	1	0	0	6	0	3	0	0	7	7
941	Saint Martha Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	0	0	1	0	0	4	4
942	Saint Mary Academy	Diocese of Louisville	Jefferson	1	1	0	0	3	0	1	0	0	1	1
943	Saint Mary School (Campbell)	Diocese of Covington	Campbell	0	0	0	0	1	0	0	0	0	0	0
944	Saint Michael Lifelong Learning Center	Diocese of Louisville	Jefferson	0	0	0	0	6	0	0	0	0	0	1
945	Saint Nicholas Academy	Diocese of Louisville	Jefferson	0	0	0	0	1	0	0	0	0	0	0
946	Saint Patrick Elementary School	Diocese of Louisville	Jefferson	0	4	0	0	5	0	0	0	0	4	4
947	Saint Patrick School	Diocese of Covington	Mason	0	0	0	0	1	0	0	0	0	0	0
948	Saint Paul Catholic School	Diocese of Covington	Boone	0	0	0	0	1	0	0	0	0	0	0
949	Saint Paul Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	6	0	0	0	0	0	1
950	Saint Pius X Elementary School	No District Affiliation (Kenton)	Kenton	0	0	0	0	3	0	0	0	0	0	0
951	Saint Raphael Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	2	0	1	0	0	3	3
952	Saint Rita Elementary School	Diocese of Louisville	Jefferson	0	3	0	0	5	0	0	0	0	0	0
953	Saint Stephen Martyr Elementary School	Diocese of Louisville	Jefferson	0	0	0	0	1	0	0	0	0	1	1
954	Saint Xavier High School	Diocese of Louisville	Jefferson	0	9	0	0	36	0	0	0	0	2	2
955	Saints Peter & Paul Elementary School	Campbell County	Campbell	0	1	0	0	1	0	0	0	0	0	0
956	Saints Peter and Paul Catholic School	Diocese of Owensboro	Christian	0	0	0	0	0	0	0	0	0	0	1
957	Salem Elementary School	Russell County	Russell	0	0	0	0	1	0	0	0	0	0	1

958	Sanders Elementary	Jefferson County	Jefferson	1	1	0	0	1	0	0	0	0	0	0
959	Sandersville Elementary School	Fayette County	Fayette	0	1	0	4	0	0	0	0	0	0	0
960	Sayers Classical Academy	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	0	1
961	Sayre School	No District Affiliation (Fayette)	Fayette	0	0	0	4	0	0	0	0	0	0	1
962	SCAPA	Fayette County	Fayette	0	0	0	2	0	0	0	0	0	0	1
963	Schaffner Traditional Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	0	1
964	Science Hill Elementary School	Science Hill Independent	Pulaski	0	0	0	0	0	0	0	0	0	0	1
965	Scott County High School	Scott County	Scott	1	3	0	9	0	0	1	0	0	2	2
966	Scott County Middle School	Scott County	Scott	0	0	0	0	0	0	0	0	0	0	1
967	Scott High School	Kenton County	Kenton	0	2	0	5	1	1	0	0	0	1	1
968	Sebastian Elementary School	Breathitt County	Breathitt	0	0	0	0	0	0	0	0	0	0	1
969	Sebree Elementary School	Webster County	Webster	0	0	0	1	0	0	0	0	0	0	5
970	Second Street School	Frankfort Independent	Franklin	0	0	0	1	0	0	0	0	0	0	0
971	Sedalia Elementary School	Graves County	Graves	0	0	0	0	0	0	0	0	0	0	1
972	Seiple Elementary	Jefferson County	Jefferson	1	1	0	2	0	0	0	0	0	0	1
973	Seneca High	Jefferson County	Jefferson	0	0	0	3	1	1	0	0	0	3	3
974	Seton Catholic School	Diocese of Lexington	Fayette	0	0	0	3	0	0	0	0	0	0	3
975	Shannon Johnson Elementary School	Madison County	Madison	0	0	0	3	0	0	0	0	0	0	1
976	Sharpe Elementary School	Marshall County	Marshall	0	0	0	1	0	0	0	0	0	0	1
977	Shearer Elementary School	Clark County	Clark	0	0	0	0	0	0	0	0	0	0	1
978	Shelby County East Middle School	Shelby County	Shelby	2	4	0	9	0	0	0	0	0	0	3
979	Shelby County High School	Shelby County	Shelby	2	6	0	14	0	0	0	0	0	0	4
980	Shelby County West Middle School	Shelby County	Shelby	0	1	0	4	0	0	2	0	0	0	4
981	Shelby Traditional Academy	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	0	1
982	Shelby Valley High School	Pike County	Pike	0	0	0	0	0	0	0	0	0	0	1
983	Sherman Elementary	Grant County	Grant	0	0	0	0	0	0	0	1	0	0	1
984	Shirley Mann Elementary School	Boone County	Boone	1	1	0	1	0	0	0	0	0	0	1
985	Shopville Elementary School	Pulaski County	Pulaski	0	0	0	1	0	0	0	0	0	0	1
986	Silver Creek Elementary School	Madison County	Madison	0	0	0	5	0	0	1	0	0	0	2
987	Simon Kenton High School	Kenton County	Kenton	0	4	0	7	0	0	0	0	0	0	2
988	Simons Middle School	Fleming County	Fleming	0	0	0	0	0	0	0	0	0	0	1
989	Simpson Elementary School	Simpson County	Simpson	0	3	0	7	0	0	0	0	0	0	3
990	Simpsonville Elementary	Shelby County	Shelby	0	2	0	2	0	0	0	0	0	0	3
991	Sinking Fork Elementary School	Christian County	Christian	0	1	0	2	0	0	1	0	0	0	1
992	Sixth District Elementary School	Covington Independent	Kenton	0	0	0	0	0	0	0	0	0	0	1
993	Slaughter Elementary	Jefferson County	Jefferson	0	1	0	1	1	1	0	0	0	0	2
994	Smyrna Elementary School	Jefferson County	Jefferson	0	0	0	4	0	0	1	0	0	0	5
995	Somerset Christian School	No District Affiliation (Pulaski)	Pulaski	0	0	0	1	0	0	0	0	0	0	0
996	Somerset High School	Somerset Independent	Pulaski	0	0	0	4	0	0	0	0	0	0	1
997	Sorgho Elementary School	Daviess County	Daviess	0	0	0	0	0	0	1	0	0	0	2
998	South Christian Elementary School	Christian County	Christian	0	1	0	1	0	0	0	0	0	0	2
999	South Edmonson Elementary School	Edmonson County	Edmonson	0	3	0	5	0	0	1	0	0	0	1
1000	South Floyd Elementary School	Floyd County	Floyd	0	0	0	3	0	0	1	0	0	0	4
1001	South Green Elementary School	Glasgow Independent	Barren	0	1	0	2	0	0	0	0	0	0	0
1002	South Heights Elementary School	Henderson County	Henderson	0	0	0	1	0	0	0	0	0	0	2
1003	South Irvine Early Learning Center	Estill County	Estill	0	0	0	1	0	0	0	0	0	0	0
1004	South Laurel High School	Laurel County	Laurel	1	4	0	15	0	0	1	0	0	0	4
1005	South Laurel Middle School	Laurel County	Laurel	0	1	0	16	1	3	0	0	0	0	9
1006	South Livingston Elementary School	Livingston County	Livingston	0	2	0	3	0	0	0	0	0	0	0
1007	South Marshall Elementary School	Marshall County	Marshall	0	1	0	2	0	0	0	0	0	0	3
1008	South Marshall Middle	Marshall County	Marshall	0	2	0	4	0	0	0	0	0	0	0
1009	South Oldham High School	Oldham County	Oldham	0	1	0	8	0	0	1	0	0	0	2
1010	South Oldham Middle School	Oldham County	Oldham	0	0	0	2	0	0	0	0	0	0	4
1011	South Todd Elementary School	Todd County	Todd	0	0	0	8	0	0	0	0	0	0	3

1012	South Warren High School	Warren County	Warren	0	4	0	0	21	0	1	0	0	3
1013	South Warren Middle School	Warren County	Warren	0	1	0	0	13	0	0	0	0	1
1014	Southern Elementary School (Fayette)	Fayette County	Fayette	0	0	0	0	3	0	0	0	0	2
1015	Southern Elementary School (Pendleton)	Pendleton County	Pendleton	0	0	0	0	0	0	1	0	0	2
1016	Southern Elementary School (Pulaski)	Pulaski County	Pulaski	0	0	0	0	2	0	1	0	0	1
1017	Southern Elementary School (Scott)	Scott County	Scott	0	0	0	0	1	0	0	0	0	0
1018	Southern High	Jefferson County	Jefferson	0	2	0	0	6	0	0	0	0	0
1019	Southern Middle School (Fayette)	Fayette County	Fayette	0	0	0	0	6	0	0	0	0	0
1020	Southern Middle School (Pulaski)	Pulaski County	Pulaski	0	1	0	0	1	0	0	0	0	0
1021	Southern Oaks Elementary School	Daviess County	Daviess	0	0	0	0	1	0	0	0	0	3
1022	Southgate Public School	Southgate Independent	Campbell	0	0	0	0	0	0	1	0	0	1
1023	Southside Elementary School (Harrison)	Harrison County	Harrison	0	0	0	0	1	0	0	0	0	0
1024	Southside Elementary School (Hopkins)	Hopkins County	Hopkins	0	1	0	0	3	0	0	0	0	2
1025	Southside Elementary School (Shelby)	Shelby County	Shelby	0	0	0	0	2	0	0	0	0	1
1026	Southside Elementary School (Woodford)	Woodford County	Woodford	0	0	0	0	4	0	0	0	0	1
1027	Southwest Calloway Elementary School	Calloway County	Calloway	0	1	0	0	4	0	0	0	0	2
1028	Southwestern High School	Pulaski County	Pulaski	0	2	0	0	6	1	1	0	0	1
1029	Spencer Christian School	No District Affiliation (Spencer)	Spencer	0	0	0	0	1	0	0	0	0	0
1030	Spencer County Elementary School	Spencer County	Spencer	0	0	0	0	2	0	1	0	0	4
1031	Spencer County High School	Spencer County	Spencer	0	1	0	0	4	0	0	0	0	2
1032	Spencer County Middle School	Spencer County	Spencer	0	1	0	0	3	0	0	0	0	1
1033	Spottsville Elementary School	Henderson County	Henderson	0	2	0	0	6	0	0	0	0	3
1034	Squires Elementary School	Fayette County	Fayette	0	0	0	0	4	0	0	0	0	0
1035	St Matthews Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	1
1036	St. Francis of Assisi Elementary School	Diocese of Lexington	Pike	0	1	0	0	1	0	0	0	0	2
1037	St. Henry Catholic School	No District Affiliation (Kenton)	Kenton	0	2	0	0	2	0	0	0	0	0
1038	St. Henry District High School	Diocese of Covington	Boone	0	0	0	0	1	0	0	0	0	1
1039	St. James Catholic Regional School	Diocese of Louisville	Hardin	1	1	0	0	1	0	1	0	0	3
1040	St. Joseph School	Diocese of Louisville	Nelson	1	2	0	0	6	0	2	0	0	6
1041	St. Mary of the Woods School	Daviess County	Daviess	0	0	0	0	0	0	0	0	0	1
1042	St. Peter & Paul Catholic School	Diocese of Lexington	Fayette	0	0	0	0	1	0	0	0	0	4
1043	St. Timothy Academy	Boone County	Boone	0	0	0	0	1	0	0	0	0	0
1044	Stamping Ground Elementary School	Scott County	Scott	0	0	0	0	0	0	0	0	0	2
1045	Stanford Elementary School	Lincoln County	Lincoln	0	0	0	0	4	0	0	0	0	2
1046	Star Elementary School	Carter County	Carter	0	0	0	0	2	0	0	0	0	0
1047	STEAM Academy	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	1
1048	Stephens Elementary School	Boone County	Boone	0	1	0	0	2	0	1	0	0	2
1049	Sinnett Elementary School	Leslie County	Leslie	0	0	0	0	2	1	1	0	0	1
1050	Stonewall Elementary School	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	0
1051	Stopher Elementary	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	1
1052	Stuart Academy	Jefferson County	Jefferson	0	2	0	0	5	0	0	0	0	1
1053	Stuart Pepper Middle School	Meade County	Meade	0	0	0	0	5	0	0	0	0	2
1054	Sturgis Elementary School	Union County	Union	0	0	0	0	1	0	0	0	0	0
1055	Sublimity Elementary School	Laurel County	Laurel	0	0	0	0	7	0	1	0	0	5
1056	Summit Academy	Jefferson County	Jefferson	0	2	0	0	3	0	2	0	0	4
1057	Summit Christian Academy	No District Affiliation (Fayette)	Fayette	0	0	0	0	7	0	0	0	0	1
1058	Summit Elementary School	Boyd County	Boyd	0	0	0	0	2	0	0	0	0	0
1059	Summit View Academy	Kenton County	Kenton	0	1	0	0	3	0	0	0	0	0
1060	Sutton Elementary School	Daviess County	Daviess	0	1	0	0	1	0	0	0	0	0
1061	Symsonia Elementary School	Graves County	Graves	0	2	0	0	2	0	0	0	0	0
1062	T.C. Cherry Elementary School	Bowling Green Independent	Warren	0	0	0	0	3	0	0	0	0	2
1063	Talton K Stone Middle School	Elizabethtown Independent	Hardin	0	0	0	0	2	0	0	0	0	0
1064	Tamarack Elementary School	Daviess County	Daviess	1	3	0	0	3	1	2	0	0	3
1065	Tates Creek Elementary School	Fayette County	Fayette	0	0	0	0	6	0	0	0	0	3

1066	Tates Creek High School	Fayette County	Fayette		0	0	0	0	0	28	0	0	0	0	0	1	1
1067	Tates Creek Middle School	Fayette County	Fayette		0	0	0	0	0	10	0	0	1	0	0	2	2
1068	Taylor County Elementary School	Taylor County	Taylor		0	0	0	0	0	3	0	0	0	0	0	3	3
1069	Taylor County High School	Taylor County	Taylor		1	7	0	0	0	17	0	0	2	0	0	2	2
1070	Taylor County Middle School	Taylor County	Taylor		0	1	0	0	4	0	1	0	1	0	0	2	2
1071	Taylor County Primary Center	Taylor County	Taylor		0	0	0	0	2	0	0	0	0	0	0	1	1
1072	Taylor Elementary School	Bracken County	Bracken		1	1	0	0	2	0	0	0	0	0	0	0	0
1073	Taylor Mill Elementary School	Kenton County	Kenton		0	0	0	0	1	0	0	0	0	0	0	0	0
1074	Taylorsville Elementary School	Spencer County	Spencer		0	0	0	0	3	0	0	0	0	0	0	0	0
1075	Temple Hill Elementary School	Barren County	Barren		0	0	0	0	2	0	0	0	1	0	0	1	1
1076	The Academy	Logan County	Logan		0	0	0	0	1	0	0	0	0	0	0	0	0
1077	The Academy at Horizons	Nelson County	Nelson		0	1	0	0	2	0	0	1	0	0	0	1	1
1078	The Brook (KMI)	KMI	Jefferson		0	0	0	0	0	0	0	0	0	0	0	1	1
1079	The DePaul School	Jefferson County	Jefferson		0	0	0	0	0	0	0	0	0	0	0	2	2
1080	The Lexington School	No District Affiliation (Fayette)	Fayette		0	0	0	0	5	0	0	0	0	0	0	0	0
1081	The Life Connection	LaRue County	LaRue		0	0	0	0	7	0	0	0	0	0	0	3	3
1082	The New Haven School	Nelson County	Nelson		0	1	0	0	2	0	0	0	0	0	0	0	0
1083	The Phoenix School of Discovery	Jefferson County	Jefferson		0	0	0	0	1	0	0	0	0	0	0	1	1
1084	The Piarist School	Diocese of Lexington	Johnson		1	1	0	0	1	0	0	0	0	0	0	0	0
1085	The Provision School	Fayette County	Fayette		0	1	0	0	4	0	0	0	0	0	0	0	0
1086	The Renaissance Center	Muhlenberg County	Muhlenberg		0	0	0	0	1	0	0	0	0	0	0	1	1
1087	The Success Academy	Fayette County	Fayette		0	0	0	0	1	0	0	0	0	0	0	0	0
1088	Thelma B. Johnson Early Learning Center	Henderson County	Henderson		0	0	0	0	1	0	0	4	0	0	6	6	6
1089	Thomas Jefferson Middle	Jefferson County	Jefferson		0	1	0	0	2	0	0	1	0	0	3	3	3
1090	Thomas Nelson High School	Nelson County	Nelson		0	2	0	0	11	0	0	0	0	0	1	1	1
1091	Thornwild Elementary School	Boone County	Boone		0	0	0	0	2	0	0	0	0	0	0	0	0
1092	Todd County Central High School	Todd County	Todd		0	0	0	0	5	0	0	0	0	0	2	2	2
1093	Todd County Middle School	Todd County	Todd		0	0	0	0	9	0	0	0	0	0	0	1	1
1094	Tompkinsville Elementary School	Monroe County	Monroe		0	4	0	0	7	0	0	1	0	0	5	5	5
1095	Transformational Learning Center	Covington Independent	Kenton		0	0	0	0	1	0	0	0	0	0	0	0	0
1096	Trigg County High School	Trigg County	Trigg		0	0	0	0	7	0	0	0	0	0	3	3	3
1097	Trigg County Middle School	Trigg County	Trigg		0	0	0	0	2	0	0	2	0	0	2	2	2
1098	Trigg County Primary School	Trigg County	Trigg		0	0	0	0	1	0	0	0	0	0	0	0	0
1099	Trimble County Jr/Sr High School	Trimble County	Trimble		0	2	0	0	7	0	0	0	0	0	3	3	3
1100	Trinity Christian Academy	No District Affiliation (Fayette)	Fayette		0	0	0	0	3	0	0	0	0	0	0	0	0
1101	Trinity High School	Jefferson County	Jefferson		1	5	0	0	11	0	2	0	2	0	6	6	6
1102	Trunnell Elementary	Jefferson County	Jefferson		0	0	0	0	4	0	0	0	0	0	1	1	1
1103	Tully Elementary	Jefferson County	Jefferson		0	0	0	0	2	0	0	0	0	0	0	0	0
1104	Turkey Foot Middle School	Kenton County	Kenton		0	0	0	0	5	0	1	0	1	0	1	1	1
1105	Twenhofel Middle School	Kenton County	Kenton		0	0	0	0	1	0	0	0	0	0	0	0	0
1106	Tygart Creek Elementary School	Carter County	Carter		0	0	0	0	1	0	0	0	0	0	0	0	0
1107	Tyner Elementary School	Jackson County	Jackson		0	0	0	0	0	0	0	0	0	0	0	1	1
1108	Union County High School	Union County	Union		1	11	0	0	21	0	1	0	1	0	8	8	8
1109	Union County Learning Academy	Union County	Union		0	0	0	0	2	0	0	0	0	0	0	0	0
1110	Union County Middle School	Union County	Union		0	0	0	0	3	0	0	0	0	0	2	2	2
1111	Uniontown Elementary School	Union County	Union		0	0	0	0	1	0	0	1	0	0	2	2	2
1112	University Heights Academy	Christian County	Christian		0	0	0	0	6	0	0	0	0	0	4	4	4
1113	Valley Elementary School	Pike County	Pike		0	0	0	0	0	0	0	0	0	0	2	2	2
1114	Valley High	Jefferson County	Jefferson		0	0	0	0	1	0	0	0	0	0	0	0	0
1115	Valley High School	Daviess County	Daviess		0	0	0	0	0	0	0	0	0	0	0	1	1
1116	Valley View Education Center	Elizabethtown Independent	Hardin		0	0	0	0	1	0	0	0	0	0	0	0	0
1117	Valor Traditional Academy	No District Affiliation (Jefferson)	Jefferson		0	0	0	0	3	0	0	1	0	0	1	1	1
1118	Veritas Christian Academy	Fayette County	Fayette		0	0	0	0	1	0	0	0	0	0	0	0	0
1119	Versailles Montessori School	No District Affiliation (Woodford)	Woodford		0	2	0	0	2	0	0	0	0	0	0	1	1

1120	Veterans Park Elementary School	Fayette County	Fayette	0	0	0	0	3	0	0	0	0	0	0
1121	Villa Madonna Academy High School	No District Affiliation (Kenton)	Kenton	0	1	0	1	1	0	0	0	0	0	0
1122	Vine Grove Elementary School	Hardin County	Hardin	0	0	0	0	2	0	0	0	0	0	2
1123	Viper Elementary School	Perry County	Perry	0	0	0	0	0	0	0	0	0	0	1
1124	W R McNeill Elementary School	Bowling Green Independent	Warren	2	3	0	0	6	0	0	0	0	0	0
1125	W.E.B. DuBois Academy	Jefferson County	Jefferson	0	0	0	1	1	0	0	0	0	0	1
1126	Waco Elementary School	Madison County	Madison	0	1	0	4	4	0	0	0	0	0	1
1127	Waggener High	Jefferson County	Jefferson	0	0	0	2	3	0	0	1	0	0	3
1128	Walden School	Jefferson County	Jefferson	0	2	0	0	2	0	0	0	0	0	1
1129	Walker Early Learning Center	Wayne County	Wayne	0	0	0	2	0	0	0	0	0	0	0
1130	Wallins Elementary School	Harlan County	Harlan	0	0	0	4	4	0	0	0	0	0	1
1131	Walnut Hill Elementary School	Casey County	Casey	0	0	0	1	1	0	0	1	0	0	1
1132	Walton Verona Elementary School	Walton Verona Independent	Boone	1	1	1	0	1	0	0	0	0	0	0
1133	Walton Verona High School	Walton Verona Independent	Boone	1	2	0	3	3	0	0	0	0	0	1
1134	Walton Verona Middle School	Walton Verona Independent	Boone	0	0	0	1	1	0	0	0	0	0	1
1135	Warfield Elementary School	Martin County	Martin	0	0	0	0	3	0	0	0	0	0	0
1136	Warren Central High School	Warren County	Warren	0	3	0	20	0	0	0	0	0	0	1
1137	Warren East High School	Warren County	Warren	0	0	0	0	0	0	0	0	0	0	3
1138	Warren East Middle School	Warren County	Warren	1	2	0	11	0	0	0	0	0	0	0
1139	Warren Elementary	Warren County	Warren	0	0	0	6	0	0	1	0	0	0	2
1140	Washington County Elementary School	Washington County	Washington	2	3	0	8	0	0	0	0	0	0	1
1141	Washington County High School	Washington County	Washington	1	2	0	11	0	0	0	0	0	0	2
1142	Washington County Middle School	Washington County	Washington	0	0	0	2	0	0	1	0	0	0	3
1143	Waterson Elementary	Jefferson County	Jefferson	0	1	0	3	0	0	0	0	0	0	0
1144	Wayne County High School	Wayne County	Wayne	0	1	0	6	0	0	1	0	0	0	4
1145	Wayne County Middle School	Wayne County	Wayne	0	0	0	3	0	0	0	0	0	0	0
1146	Waynesburg Elementary School	Lincoln County	Lincoln	0	1	0	2	0	0	1	0	0	0	1
1147	Webster County High School	Webster County	Webster	0	5	0	13	0	2	0	0	0	0	2
1148	Webster County Middle School	Webster County	Webster	0	0	0	1	0	0	3	0	0	0	3
1149	Wellington Elementary School (Fayette)	Fayette County	Fayette	0	0	0	3	0	0	0	0	0	0	0
1150	Wellington Elementary School (Jefferson)	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0	0	0
1151	West Broadway Elementary School	Hopkins County	Hopkins	0	0	0	0	0	0	0	0	0	0	1
1152	West Carter County High School	Carter County	Carter	0	0	0	2	0	0	0	0	0	0	1
1153	West Carter Middle School	Carter County	Carter	0	0	0	0	0	0	0	0	0	0	1
1154	West End School	No District Affiliation (Jefferson)	Jefferson	0	0	0	0	0	0	0	0	0	0	1
1155	West Hardin Middle School	Hardin County	Hardin	0	0	0	1	0	0	0	0	0	0	1
1156	West Hopkins School	Hopkins County	Hopkins	0	0	0	0	0	0	0	0	0	0	1
1157	West Irvine Intermediate	Estill County	Estill	0	0	0	0	0	0	0	0	0	0	2
1158	West Jessamine High School	Jessamine County	Jessamine	0	2	0	13	0	0	0	0	0	0	3
1159	West Jessamine Middle School	Jessamine County	Jessamine	0	1	0	5	0	0	0	0	0	0	3
1160	West Louisville Elementary School	Davess County	Davess	0	0	0	2	0	1	0	0	0	0	1
1161	West Marion Elementary School	Marion County	Marion	0	0	0	1	0	0	1	0	0	0	1
1162	West Whitesburg Elementary School	Letcher County	Letcher	0	0	0	1	0	0	1	0	0	0	1
1163	Western Elementary School	Scott County	Scott	0	0	0	1	0	0	1	0	0	0	1
1164	Western High	Jefferson County	Jefferson	0	1	0	4	0	0	0	0	0	0	5
1165	Western Hills High School	Franklin County	Franklin	0	2	0	6	0	0	0	0	0	0	0
1166	Western Middle School for the Arts	Jefferson County	Jefferson	1	3	0	3	0	0	1	0	0	0	1
1167	Westport Middle	Jefferson County	Jefferson	0	0	0	0	0	0	0	0	0	0	3
1168	Westridge Elementary	Franklin County	Franklin	0	0	0	1	0	0	0	0	0	0	1
1169	Westside Elementary School	Harrison County	Harrison	0	0	0	2	0	0	0	0	0	0	2
1170	Wheatley Elementary	Jefferson County	Jefferson	0	0	0	1	0	0	0	0	0	0	0
1171	Wheeler Elementary	Jefferson County	Jefferson	0	1	0	2	0	0	0	0	0	0	0
1172	White Hall Elementary School	Madison County	Madison	0	0	0	1	0	0	0	0	0	0	0
1173	Whitefield Academy	No District Affiliation (Jefferson)	Jefferson	0	0	0	5	0	0	1	0	0	0	2

1174	White's Tower Elementary School	Kenton County	Kenton	0	0	0	0	1	0	0	0	0	0	2
1175	Whitesburg Middle School	Letcher County	Letcher	0	0	0	0	2	0	0	0	0	0	1
1176	Whitesville Elementary School	Daviess County	Daviess	0	1	0	0	1	0	0	1	0	0	2
1177	Whitley Central Intermediate School	Whitley County	Whitley	0	1	0	0	7	0	0	0	0	0	1
1178	Whitley City Elementary School	McCreary County	McCreary	0	0	0	0	3	0	0	0	0	0	3
1179	Whitley County Central Primary School	Whitley County	Whitley	0	1	0	0	6	0	0	0	0	0	1
1180	Whitley County East Elementary School	Whitley County	Whitley	0	0	0	0	2	0	0	0	0	0	2
1181	Whitley County High School	Whitley County	Whitley	0	1	0	0	7	0	0	2	0	0	5
1182	Whitley County Middle School	Whitley County	Whitley	0	0	0	0	3	0	0	0	0	0	4
1183	Whitley County North Elementary School	Whitley County	Whitley	0	0	0	0	0	0	0	0	0	0	2
1184	Wilkinson Elementary School	Jefferson County	Jefferson	0	0	0	0	1	0	0	0	0	0	2
1185	William Corfield High School	Franklin County	Franklin	0	0	0	0	2	0	0	0	0	0	2
1186	William G. Conkright Elementary	Clark County	Clark	0	0	0	0	1	0	0	0	0	0	3
1187	William H. Natcher Elementary	Warren County	Warren	0	1	0	0	4	0	0	0	0	0	1
1188	William Wells Brown Elementary School	Fayette County	Fayette	0	0	0	0	2	0	0	0	0	0	0
1189	Williamsburg City School	Williamsburg Independent	Whitley	0	2	0	0	7	1	2	0	0	0	6
1190	Williamstown Elementary	Williamstown Independent	Grant	0	0	0	0	0	0	0	0	0	0	2
1191	Williamstown Jr. High	Williamstown Independent	Grant	0	0	0	0	3	0	0	0	0	0	0
1192	Williamstown Sr. High	Williamstown Independent	Grant	0	1	0	0	3	0	0	0	0	0	1
1193	Willis H. Justice Elementary School	Clark County	Clark	0	0	0	0	2	0	0	0	0	0	1
1194	Wilmore Elementary School	Jessamine County	Jessamine	0	1	0	0	4	0	0	1	0	0	1
1195	Wilt Elementary	Jefferson County	Jefferson	0	1	0	0	1	0	0	0	0	0	0
1196	Winburn Middle School	Fayette County	Fayette	0	0	0	0	10	0	0	0	0	1	1
1197	Wingo Elementary School	Graves County	Graves	0	0	0	0	0	0	0	0	0	0	3
1198	Wolfe County High School	Wolfe County	Wolfe	0	1	0	0	1	0	0	1	0	0	2
1199	Wolfe County Middle School	Wolfe County	Wolfe	0	0	0	0	2	0	0	0	0	0	1
1200	Woodford County High School	Woodford County	Woodford	0	1	0	0	6	0	0	0	0	0	1
1201	Woodford County Middle School	Woodford County	Woodford	0	1	0	0	3	0	0	0	0	0	0
1202	Woodland Elementary School	Hardin County	Hardin	0	1	0	0	3	0	0	1	0	0	5
1203	Woodlawn Elementary School	Boyle County	Boyle	0	0	0	0	0	0	0	0	0	0	1
1204	Wright Elementary	Shelby County	Shelby	0	1	0	0	1	0	0	0	0	0	2
1205	Wurtland Elementary School	Greenup County	Greenup	0	2	0	0	2	0	0	0	0	0	2
1206	Wurtland Middle School	Greenup County	Greenup	0	1	0	0	2	0	0	0	0	0	2
1207	Wyan Pine Grove Elementary	Laurel County	Laurel	0	0	0	0	1	0	0	0	0	0	2
1208	Yates Elementary School	Fayette County	Fayette	0	0	0	0	3	0	0	0	0	0	0
1209	Yellow Creek School Center	Bell County	Bell	0	1	0	0	1	0	0	0	0	0	2
1210	Zoneton Middle School	Bullitt County	Bullitt	0	0	0	0	0	0	0	0	0	0	1
	Unknown	Unknown	Unknown	5	48	0	0	164	15	79	0	0	0	219
Totals				130	1027	1	4696	77	570	2	2247			

**"# Cases Reported Today" represents the number of new student/staff cases reported since the last published KDPH Official COVID-19 School Report. These numbers do not necessarily represent newly diagnosed cases of COVID-19.

** "# Cases Reported Last 14 Days" represents the number of new student/staff cases reported in the last 14 days. These numbers do not necessarily represent newly diagnosed cases of COVID-19.

CURRENT AS OF:
11/20/2020



Positive cases of the novel coronavirus associated with schools are reported every week day by the schools to local health departments. Local health departments provide the collected information to the Kentucky Department for Public Health. The case numbers on the school public health report are being posted as quickly as possible after notification of cases is received. These cases may still be in the verification process at the state level. Therefore, the numbers may vary from local and other reported numbers and are subject to revision as the verification process is completed. This information is being provided out of transparency and as quickly as possible.

	School District	STUDENTS				STAFF			
		# Cases Reported Today*	# Cases Reported Last 14 Days**	# Deaths	# Cases Ever Positive	# Cases Reported Today*	# Cases Reported Last 14 Days**	# Deaths	# Cases Ever Positive
1	Adair County	0	0	0	20	0	1	0	8
2	Allen County	2	6	0	35	0	2	0	25
3	Anchorage Independent	1	1	0	9	0	0	0	1
4	Anderson County	1	2	0	9	0	0	0	11
5	Ashland Independent	0	11	0	23	0	0	0	5
6	Ballard County	0	0	1	3	0	0	0	0
7	Barbourville Independent	0	0	0	1	0	0	0	0
8	Bardstown Independent	3	7	0	43	0	3	0	20
9	Barren County	0	10	0	71	1	12	0	33
10	Bath County	0	0	0	1	0	0	0	2
11	Beechwood Independent	0	5	0	18	0	2	0	10
12	Bell County	1	10	0	20	0	0	0	14
13	Bellevue Independent	0	1	0	2	0	0	0	1
14	Berea Independent	0	1	0	11	0	0	0	0
15	Boone County	5	34	0	84	2	13	0	40
16	Bourbon County	0	4	0	18	1	5	0	11
17	Bowling Green Independent	5	25	0	80	1	2	0	20
18	Boyd County	1	5	0	16	1	1	0	8
19	Boyle County	2	13	0	24	0	5	0	9
20	Bracken County	1	3	0	6	0	1	0	3
21	Breathitt County	0	0	0	4	1	1	0	3
22	Breckinridge County	0	3	0	9	0	1	0	5
23	Bullitt County	5	19	0	56	2	6	0	35
24	Butler County	0	2	0	20	0	3	0	10
25	Caldwell County	0	6	0	35	0	2	0	15
26	Calloway County	0	3	0	35	0	1	0	10
27	Campbell County	0	12	0	24	0	6	0	14
28	Campbellsville Independent	0	3	0	9	0	1	0	2
29	Carlisle County	0	0	0	1	0	0	0	1
30	Carroll County	1	2	0	5	0	1	0	2
31	Carroll County	0	1	0	2	0	3	0	4
32	Carter County	0	0	0	11	0	0	0	3
33	Casey County	1	1	0	11	1	3	0	8
34	Caverna Independent	0	0	0	10	0	0	0	2
35	Christian County	3	26	0	106	1	12	0	48
36	Clark County	0	2	0	8	1	3	0	9
37	Clay County	0	4	0	24	0	5	0	24
38	Clinton County	0	0	0	16	0	1	0	9
39	Cloverport Independent	0	0	0	0	0	1	0	2
40	Corbin Independent	0	4	0	24	0	2	0	3
41	Covington Independent	0	1	0	4	0	2	0	5
42	Crittenden County	0	3	0	18	0	1	0	5
43	Cumberland County	1	6	0	14	1	1	0	5
44	Danville Independent	1	6	0	6	0	2	0	4

45	Daviess County	1	17	0	52	1	14	0	41
46	Dawson Springs Independent	0	1	0	3	0	1	0	2
47	Dayton Independent	0	0	0	1	0	0	0	0
48	Diocese of Covington	0	2	0	13	0	0	0	4
49	Diocese of Lexington	1	4	0	31	1	1	0	13
50	Diocese of Louisville	9	51	0	183	0	21	0	67
51	Diocese of Owensboro	0	6	0	15	1	2	0	9
52	East Bernstadt Independent	1	1	0	5	0	0	0	1
53	Edmonson County	0	8	0	20	0	3	0	6
54	Elizabethtown Independent	1	6	0	20	0	5	0	7
55	Eminence Independent	0	1	0	9	0	0	0	3
56	Erlanger-Elsmere Independent	0	0	0	1	1	1	0	6
57	Estill County	2	6	0	12	0	0	0	2
58	Fairview Independent	1	4	0	7	0	2	0	6
59	Fayette County	0	4	0	428	0	1	1	35
60	Fleming County	0	0	0	1	0	0	0	4
61	Floyd County	1	6	0	30	0	2	0	18
62	Fort Knox Independent	0	0	0	1	0	0	0	0
63	Fort Thomas Independent	0	6	0	14	0	1	0	5
64	Frankfort Independent	0	1	0	4	0	0	0	0
65	Franklin County	0	8	0	33	0	2	0	11
66	Fulton County	0	0	0	2	0	0	0	3
67	Gallatin County	0	3	0	9	1	1	0	4
68	Garrard County	0	4	0	13	0	1	0	8
69	Glasgow Independent	1	6	0	17	0	0	0	5
70	Grant County	1	5	0	12	1	5	0	11
71	Graves County	0	8	0	13	2	3	0	10
72	Grayson County	0	4	0	21	0	2	0	9
73	Green County	0	0	0	31	0	2	0	10
74	Greenup County	0	6	0	14	0	1	0	10
75	Hancock County	1	2	0	9	1	1	0	5
76	Hardin County	2	26	0	119	3	15	0	54
77	Harlan County	0	0	0	15	0	0	0	10
78	Harlan Independent	0	0	0	6	0	1	0	2
79	Harrison County	0	1	0	6	0	1	0	5
80	Hart County	2	12	0	50	2	4	0	23
81	Hazard Independent	0	0	0	19	0	3	0	5
82	Henderson County	2	21	0	70	0	18	0	46
83	Henry County	0	1	0	6	0	0	0	5
84	Hickman County	0	0	0	2	0	0	0	2
85	Hopkins County	3	12	0	38	0	4	0	13
86	Jackson County	0	1	0	5	0	0	0	6
87	Jackson Independent	0	0	0	2	0	0	0	0
88	Jefferson County	13	115	0	366	9	42	0	191
89	Jenkins Independent	0	0	0	1	0	0	0	0
90	Jessamine County	0	10	0	53	0	4	0	12
91	Johnson County	1	1	0	19	0	0	0	1
92	Kenton County	0	12	0	42	2	9	0	21
93	Kentucky Baptist Convention	0	0	0	0	1	1	0	1
94	Kentucky Technical System	0	0	0	0	0	0	0	1
95	KMI	0	0	0	0	0	0	0	1
96	Knott County	0	4	0	12	0	5	0	29
97	Knox County	0	2	0	3	0	1	0	4
98	LaRue County	2	4	0	28	0	3	0	16
99	Laurel County	3	12	0	97	2	11	0	44
100	Lawrence County	0	2	0	7	0	2	0	4
101	Lee County	0	1	0	5	0	0	0	0
102	Leslie County	0	0	0	8	1	1	0	8
103	Letcher County	0	0	0	7	0	3	0	9

104	Lewis County	0	0	0	1	0	0	0	3
105	Lincoln County	0	4	0	26	0	2	0	8
106	Livingston County	0	7	0	19	0	2	0	4
107	Logan County	1	9	0	42	0	3	0	15
108	Ludlow Independent	0	1	0	2	0	0	0	1
109	Lyon County	0	1	0	6	0	0	0	7
110	Madison County	1	14	0	81	0	10	0	27
111	Magoffin County	0	0	0	1	0	0	0	1
112	Marion County	1	3	0	19	1	4	0	16
113	Marshall County	1	19	0	46	0	7	0	25
114	Martin County	0	1	0	13	1	1	0	7
115	Mason County	0	0	0	1	0	0	0	0
116	Mayfield Independent	0	4	0	11	0	1	0	6
117	McCracken County	0	1	0	25	0	1	0	18
118	McCreary County	0	0	0	17	0	0	0	10
119	McLean County	0	2	0	5	0	1	0	2
120	McLean County	0	1	0	5	0	2	0	4
121	Meade County	2	5	0	38	1	6	0	21
122	Menifee County	0	0	0	1	0	2	0	2
123	Mercer County	1	4	0	23	1	2	0	7
124	Metcalfe County	0	3	0	15	0	0	0	8
125	Middlesboro Independent	1	1	0	4	0	1	0	6
126	Model Laboratory Schools at ECU	0	0	0	8	0	0	0	0
127	Monroe County	1	10	0	29	0	5	0	20
128	Montgomery County	2	6	0	30	1	2	0	6
129	Morgan County	0	0	0	2	0	0	0	0
130	Muhlenberg County	3	10	0	23	0	2	0	11
131	Murray Independent	0	4	0	25	0	2	0	6
132	Nelson County	0	15	0	54	0	6	0	17
133	Newport Independent	0	4	0	9	0	2	0	4
134	Nicholas County	0	0	0	1	0	0	0	1
135	No District Affiliation	1	3	0	3	0	0	0	1
136	No District Affiliation (Anderson)	0	0	0	2	0	0	0	4
137	No District Affiliation (Barren)	0	0	0	1	0	0	0	0
138	No District Affiliation (Boone)	0	0	0	1	0	3	0	3
139	No District Affiliation (Boyd)	0	0	0	2	0	0	0	0
140	No District Affiliation (Boyle)	0	3	0	4	0	1	0	1
141	No District Affiliation (Christian)	0	0	0	10	0	0	0	5
142	No District Affiliation (Clay)	0	0	0	0	0	0	0	1
143	No District Affiliation (Clinton)	0	0	0	3	0	0	0	0
144	No District Affiliation (Davies)	0	0	0	1	0	0	0	0
145	No District Affiliation (Fayette)	0	0	0	45	0	0	1	9
146	No District Affiliation (Graves)	0	0	0	2	0	0	0	0
147	No District Affiliation (Hardin)	0	0	0	1	0	0	0	3
148	No District Affiliation (Harlan)	0	0	0	0	0	1	0	2
149	No District Affiliation (Jefferson)	1	10	0	47	0	7	0	14
150	No District Affiliation (Johnson)	0	0	0	1	0	0	0	0
151	No District Affiliation (Kenton)	0	4	0	8	1	1	0	3
152	No District Affiliation (Laurel)	0	0	0	4	0	0	0	2
153	No District Affiliation (Mercer)	0	0	0	1	0	1	0	2
154	No District Affiliation (Pulaski)	0	0	0	1	0	0	0	0
155	No District Affiliation (Rowan)	0	0	0	0	0	1	0	2
156	No District Affiliation (Shelby)	0	0	0	2	0	0	0	3
157	No District Affiliation (Spencer)	0	0	0	1	0	0	0	0
158	No District Affiliation (Taylor)	0	1	0	3	0	1	0	3
159	No District Affiliation (Warren)	0	12	0	14	0	0	0	2
160	No District Affiliation (Woodford)	0	2	0	2	0	0	0	1
161	No District Affiliation (Warren)	0	1	0	3	0	0	0	1
162	No District Association (Jefferson)	1	1	0	3	1	1	0	3

163	Ohio County	0	2	0	10	0	1	0	9
164	Oldham County	0	3	0	29	1	8	0	26
165	Owen County	2	6	0	9	0	1	0	9
166	Owensboro Independent	0	4	0	18	1	10	0	15
167	Owsley County	0	0	0	4	0	0	0	5
168	Paducah Independent	0	0	0	2	0	0	0	2
169	Paducah Public	0	0	0	5	0	0	0	1
170	Paintsville Independent	1	1	0	2	0	0	0	0
171	Palestine Independent	0	0	0	2	0	0	0	2
172	Paris Independent	0	3	0	6	0	2	0	3
173	Pendleton County	0	3	0	5	2	11	0	16
174	Perry County	0	4	0	23	0	0	0	21
175	Pike County	0	1	0	12	0	3	0	18
176	Pikeville Independent	0	0	0	1	0	0	0	2
177	Pineville Independent	0	1	0	7	0	3	0	4
178	Powell County	0	0	0	7	0	1	0	4
179	Pulaski County	1	16	0	46	2	6	0	16
180	Raceland Independent	0	0	0	9	0	0	0	4
181	Robertson County	0	0	0	1	0	0	0	8
182	Rockcastle County	0	4	0	17	0	0	0	12
183	Rowan County	0	0	0	0	0	0	0	1
184	Russell County	2	2	0	29	0	1	0	11
185	Russell Independent	0	2	0	13	1	2	0	8
186	Russellville Independent	1	5	0	19	2	5	0	6
187	Science Hill Independent	0	0	0	0	0	0	0	1
188	Scott County	2	5	0	17	0	4	0	11
189	Shelby County	5	19	0	60	1	2	0	29
190	Simpson County	1	9	0	30	0	1	0	12
191	Somerset Independent	0	0	0	4	0	0	0	5
192	Southgate Independent	0	0	0	0	0	1	0	1
193	Spencer County	0	2	0	14	0	1	0	7
194	Taylor County	1	8	0	26	0	3	0	8
195	Todd County	0	0	0	23	0	1	0	9
196	Trigg County	0	0	0	10	0	2	0	5
197	Trimble County	0	2	0	8	0	0	0	4
198	Union County	1	11	0	28	0	2	0	12
199	Unknown	5	48	0	164	15	79	0	219
200	Walton Verona Independent	2	3	0	5	0	0	0	2
201	Warren County	4	24	0	206	1	11	0	42
202	Washington County	3	5	0	22	0	2	0	7
203	Wayne County	0	3	0	24	1	3	0	13
204	Webster County	0	7	0	17	0	11	0	17
205	Whitley County	0	3	0	28	0	2	0	17
206	Williamsburg Independent	0	2	0	7	1	2	0	6
207	Williamstown Independent	0	1	0	6	0	0	0	3
208	Wolfe County	0	1	0	4	0	3	0	6
209	Woodford County	0	2	0	14	0	0	0	3
Totals		130	1027	1	4696	77	570	2	2247

CURRENT AS OF:
11/20/2020

* "# Cases Reported Today" represents the number of new student/staff cases reported since the last published KDPH Official COVID-19 School Report. These numbers do not necessarily represent newly diagnosed cases of COVID-19.

** "# Cases Reported Last 14 Days" represents the number of new student/staff cases reported in the last 14 days. These numbers do not necessarily represent newly diagnosed cases of COVID-19.