

# **HAZARD INDEPENDENT SCHOOLS**

**705 MAIN STREET  
HAZARD, KY 41701**

## **PERSONNEL POLICIES FOR CERTIFIED STAFF**

Hazard Independent Schools does not discriminate on the basis of race, color, national origin, sex, religion, age or nationality in the employment or provision of services. Any and/or all questions or issues related to discrimination policies, procedures or practices are to be directed to the Office of the Superintendent, Hazard Independent Schools, 705 Main Street, Hazard, KY 41701.

Phone: (606) 436 - 3911

## **CONTENTS**

**Preface**

**Mission and Belief Statements**

**Certified Personnel**

**Hiring**

**Criminal Records Release Authorization**

**Medical Examination**

**Certification and Records**

**Equal Employment Opportunity**

**Contract**

**Transfer of Tenure**

**Compensation and Benefits**

**Salaries**

**2014-15 Certified Salary Schedule**

**Salary Deductions**

**Program Vendor Requirements**

**Reduction in Salary and Responsibility**

**Holidays**

**Leaves and Absences**

**Personal Leave**

**Sick Leave**

**Sick Leave Donation Program**

**Family and Medical Leave**

**Maternity Leave**

**Extended Disability Leave**

**Educational/Professional Leave**

**Emergency Leave**

**Jury Leave**

**Military/Disaster Services Leave**

**Insurance**

**Expense Reimbursement**

**Enrollment of Employee's Children**

**Assignment**

**Transfer**

**Promotion**

**Demotion**

**Supervision**

**Use of School Property**

**Political Activities**

**Disrupting the Educational Process**

**Drug-Free/Alcohol-Free Schools**

**Use of Tobacco**

**Duties**

**Hours of Duty**

**Health and Safety**

**Personnel Records**

**Grievances**

Grievance Procedures  
Harassment/Discrimination  
Termination/Nonrenewal/Separation by Employee  
Notice of Personnel Actions  
Reduction in Force  
Sanctions  
Conflict of Interests  
Suspension  
Reinstatement  
Retirement  
Evaluation  
Appeals/Hearing  
Confidentiality of Records  
Professional Development  
Instructional Leaders' Training  
Access to Electronic Media  
Contract

## **PREFACE-----**

Pursuant to the Kentucky Revised Statutes and under the direction of the Hazard Independent Schools Board of Education, this operational guide concerning the fundamental principles under which the Hazard Independent Schools operates has been prepared to provide basic information for personnel of the district. In order for the personnel of the district to function effectively and efficiently, they must have a general knowledge of the various aspects involved in the operation of the school system. Employees of the school community must be informed as to state regulations, local policies, the philosophy of the schools and district, and the function of the Board of Education.

This guide provides information and policies concerning the organization, duties and responsibilities of the Board of Education and personnel of the district. Although such a guide cannot be all inclusive, it can, serve as a beneficial instrument in the advancement of our educational program.

The policies stated in this handbook are subject to change at the discretion of the Hazard Independent Board of Education. On an annual basis this handbook will be updated and distributed to personnel. Should you have any questions regarding these policies, please ask your supervisor or the Supervisor of Personnel for the Hazard Independent School system for assistance.

Thank you for your service to the students of Hazard Independent Schools.

Sandra L. Johnson  
Superintendent

## **MISSION STATEMENT**

***“The mission of Hazard Independent Schools is to offer students a world-competitive education that will challenge their mind, inspire their hopes, and provide them the opportunity to achieve their dreams.”***

## **EDUCATIONAL BELIEFS**

The mission of Hazard Independent Schools is the foundation upon which all educational programs and services are built.

The mission consists of a set of beliefs and goals, both of which give direction to planning and implementing programs and services. Belief statements describe the philosophy of the school district and serve as criteria for judging the degree to which educational philosophy is placed into practice.

We believe:

1. Public education is the primary means of perpetuating the fundamental principles and values of a democratic society and shall allow students to acquire understanding of governmental processes as they affect the community, state , and nation.
2. Public education shall provide opportunities for pupils to develop communication skills necessary to function in a complex and changing society.
3. Public education is the responsibility of all citizens of the city of Hazard so that all students may acquire the knowledge to make economic, social and political choices that will improve their quality of life.
4. Public education shall provide equal educational opportunities for the citizens of the city of Hazard, regardless of race, national origin, sex, political affiliation, and physical or mental limitations.
5. Public education shall provide all pupils an opportunity for an equal education and a safe and comfortable environment.
6. Parents have the primary responsibility, with assistance from the schools, for the education, welfare, and discipline of their children.
7. Parents have the responsibility for helping their children develop positive attitudes about learning, school, and school personnel.
8. Each pupil is an individual with unique characteristics, abilities, and needs, deserving of full consideration and respect from school personnel.

9. Each pupil is capable of learning and should have an opportunity to learn based on his/her needs, interests, and abilities.
10. All pupils should be responsible for their own behavior, respect for peers and school personnel, school property, be punctual and regular in attendance in school.
11. Educational programs shall address the social-emotional (affective), academic (cognitive), and physical (psychomotor) needs of a pupil, and provide students the ability to think and solve problems in school situations and in a variety of situations they will encounter in life.
12. Schools shall develop the student's ability to connect and integrate experiences and new knowledge from all subject matter fields with what they have previously learned and build learning experiences to acquire new information through various media sources.
13. Teachers shall expect a high level of achievement from all students.
14. The teacher is a model for students and thus shall exemplify desirable attitudes, ideals, and patterns of behavior.
15. The teacher shall strive to provide the optimum learning environment possible and to remove physical and mental health barriers to learning.
16. Administrators must believe that all students can learn at a high level of achievement.
17. School administrators shall perform leadership and management functions with academic achievement of students as the primary focus.
18. School administrators shall model, expect and encourage teachers and staff to grow professionally.

**- CERTIFIED PERSONNEL -**

**Certified Personnel**

**DEFINITION**

Certified personnel are those employees holding positions for which Kentucky teacher certification is required.<sup>1</sup>

A full-time employee is one who works at least four (4) hours per day on a daily basis for a minimum of 185 days per year.

**CERTIFIED YEAR OF EXPERIENCE**

The term "year" as applied to terms of service means actual service of not less than 180 days within a school year.

**REFERENCES:**

<sup>1</sup>KRS 161.720 (1); KRS 161.020; KRS 161.030

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education thirty (30) days before the position is to be filled.

When a vacancy needs to be filled in less than thirty (30) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the thirty (30)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

**EFFECTIVE DATE**

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

**QUALIFICATIONS**

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy.

Hiring of certified personnel who have previously retired under KTRS shall be in compliance with applicable legal requirements.<sup>2</sup>

All teachers of core academic subjects shall be "highly qualified," as defined by state and federal regulation.<sup>3</sup>

**CRIMINAL BACKGROUND CHECK AND TESTING**

Applicants, employees, and student teachers shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1</sup>

Each application or renewal form provided applicants for a certified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT".<sup>1</sup>

As permitted by KRS 160.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.



**Hiring****JOB REGISTER**

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

**VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

**REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications for candidates not employed shall be retained for three (3) years.

**RELATIONSHIPS**

The Superintendent shall not employ a relative of a member of the Board unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.

**CONTRACT**

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with the District.

**JOB DESCRIPTION**

All employees shall receive a copy of their job description and responsibilities.

**INTENT**

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT**

Each year all full-time and part-time certified employees shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

**Hiring**

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>KRS 161.605; 702 KAR 001:150

<sup>3</sup>P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.55-200.56; KRS 17.160, KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390; KRS 161.042; KRS 161.611

KRS 161.750, KRS 335B.020, KRS 405.435, 704 KAR 007:130

OAG 73-333, OAG 91-10, OAG 91-149, OAG 91-206

OAG 92-1; OAG 92-59, OAG 92-78, OAG 92-131, OAG 97-6

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.11; 03.132; 02.4244

Adopted/Amended: 07/21/2011

Order #: 4771

## **Hiring**

The following procedures shall apply in the recruitment, selection, and employment of all classified and certified personnel hired in the District.

### **RECRUITMENT**

Recruiting shall be the responsibility of the Superintendent/designee. Efforts shall be made to recruit a quality staff to include, but not be limited to:

1. Working through placement bureaus of regional and state colleges and universities;
2. Conducting orientation meetings with students at the high school relating to future employment opportunities with the District;
3. Working with state educational associations and the state department of education;
4. Conducting recruitment programs through parent-teacher organizations; and
5. Advertising through appropriate media.

### **POSTING**

Vacancies shall be posted in the Central Office, in each school building during the school year, and in the following media or places as appropriate:

1. Local and/or state newspapers,
2. Predetermined locations in the community, and/or
3. Campus recruiting offices.

NOTE: Districts are required to post all certified vacancies on the Kentucky Department of Education's web site.

All postings at the local level shall be made within five (5) working days of each certified vacancy opening. The closing date for receiving applications shall be listed when vacancies are posted.

### **CERTIFIED VACANCIES**

The Superintendent/designee shall notify the Chief State School Officer of the vacancy at least thirty (30) days prior to filling the position. When such a vacancy needs to be filled in less than thirty (30) days to prevent disruption of necessary instructional or support services, a waiver may be requested from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected has been approved by the Chief State School Officer.

### **APPLICATIONS**

Completed applications should be filed in the office of the Superintendent and accompanied by transcripts and certificates, as appropriate.

The Superintendent/designee shall review each application for completeness and shall send a notice to each applicant indicating (a) the date of the review and (b) any additional materials requested.

**Hiring****SELECTION FACTORS**

The Superintendent/designee shall screen applicants based on the following factors:

1. Certification (when required for the position)
2. Educational background
3. Previous work experience
4. Recommendations
5. Personal characteristics exhibited during the interview process
  - a. Ability to communicate
  - b. Ability to work cooperatively with others
  - c. Applicant's educational philosophy
  - d. Knowledge of work area or subject matter
6. Results from required testing

**EMPLOYMENT**

For SBDM schools, hiring shall follow statutory guidelines and the provisions of Policy 02.4244, and the Superintendent shall complete the hiring process. Decisions on Central Office and District-wide personnel shall be made by the Superintendent/designee. The Superintendent shall inform the Board of the appointment of all personnel.

**CONTRACT**

Personnel hired by the Superintendent shall be notified of their contractual obligations by letter. The contract must be signed and returned to the Personnel Office within two (2) weeks. If not returned within this time frame, the contract may be considered null and void.

Review/Revised:7/19/12

**Criminal Records Release Authorization**

Student teachers and applicants for District employment must complete the Criminal Records Release Authorization form prior to employment. Completed forms must be accompanied by a check made payable to the Hazard Independent Schools Board of Education in the amount specified for performance of the state and federal background reviews.

Review/Revised:4/11/02

**- CERTIFIED PERSONNEL -****Medical Examination****NEWLY EMPLOYED PERSONNEL**

All newly employed certified personnel, including substitute teachers, shall present documentation in the form of a medical examination performed by a designated licensed physician, physician assistant (PA), or Advanced Practice Registered Nurse or by a licensed medical practitioner of the employee's choice. Through appropriate personnel documents, such as handbooks and/or job applications, employees shall be notified as to who will pay for medical examinations required for initial employment. Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted.

**REPORT**

The medical examination shall be reported on the form required by Kentucky Administrative Regulation. A copy of the form and a statement indicating the employee's medical status must be filed with the Superintendent prior to assuming assigned duties.

**TUBERCULOSIS SCREENING/TESTING**

Each medical examination shall include a risk assessment for tuberculosis as required by Kentucky Administrative Regulation. Individuals identified by that assessment as being at high risk for TB shall be required to undergo a tuberculin skin test as required by 702 KAR 001:160. A person who tests positive for TB shall be required to comply with the directives of the local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the tuberculosis infection.<sup>1&2</sup>

**PRESENT PERSONNEL**

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing.

The Board shall bear the cost of this examination.<sup>1</sup>

**SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.<sup>2</sup>

**MEDICAL CONFIDENTIALITY**

The Superintendent shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

No information regarding the medical condition of an employee shall be distributed to any other employee by the Superintendent unless:

1. The employee to whom the information relates has given written consent for the information to be released to the other employees (e.g., for sick leave donation purposes),

**Medical Examination**

**MEDICAL CONFIDENTIALITY (CONTINUED)**

2. Other employees are in sufficient contact with the individual as to be in immediate danger, or
3. The disclosure is otherwise consistent with applicable state and federal laws.

**REFERENCES:**

<sup>2</sup>702 KAR 001:160, 902 KAR 002:020; KRS 214.181; KRS 214.625  
OAG 65-560

Genetic Information Nondiscrimination Act of 2008  
American with Disabilities Act

**RELATED POLICIES:**

<sup>1</sup>03.1234, 03.14, 03.24

Adopted/Amended: 06/17/2008  
Order #: 4281

**- CERTIFIED PERSONNEL -****Certification and Records****CERTIFICATION**

The Board shall set certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position.

It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times.

**NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION**

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the District shall provide the information designated by federal law.

Schools receiving Title I funds shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who is not "highly qualified," as defined by state and federal regulation.

**CERTIFICATION FOR TEACHING ELECTIVE COURSES**

The Principal/designee shall forward to the Superintendent the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent shall present this information, along with a recommendation for certification requirements, to the Board for its approval.

In determining certification requirements for elective courses, the Board shall observe the following standards:

1. A teacher's preparation program should align with the basic structure of the elective course.
2. Teachers of interdisciplinary electives should be certified in at least one (1) of the disciplines included in the course.

**REFERENCES:**

KRS 160.350; KRS 161.020; KRS 161.048

KRS 161.730; KRS 161.740; KRS 161.750

KRS 161.760; KRS 161.780; KRS 161.790

KRS 161.800; KRS 161.810

016 KAR 001:030; 34 CFR 200.61

P. L. 107-110 (No Child Left Behind Act of 2001)

**RELATED POLICIES:**

02.4241; 03.11; 03.5

Adopted/Amended: 07/21/2011

Order #: 4771



**- CERTIFIED PERSONNEL -****Equal Employment Opportunity****NONDISCRIMINATION**

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age or disabling condition.<sup>1</sup>

**INDIVIDUALS WITH DISABILITIES**

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.<sup>2</sup>

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupational qualification for the job in question as defined in KRS 207.135.

**REASONABLE ACCOMMODATION**

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. Medical information obtained as part of an employee request shall be confidential.<sup>3</sup>

If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion.

Reasonable accommodation shall be provided as required by law.

**ADVISING EMPLOYEES**

The Superintendent shall inform all school employees of the provisions of this policy.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.164

<sup>2</sup>29 U.S.C.A. 794

<sup>3</sup>29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344

42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)

Americans with Disabilities Act

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.133, 05.11

Adopted/Amended: 07/18/2013

Order #: 5116

**- CERTIFIED PERSONNEL -**

**Contract**

**CONTRACT**

All certified employees (Superintendent excepted) shall receive either a limited or a continuing contract.<sup>1</sup>

Contracts for certified personnel shall not exceed two hundred sixty-one (261) days per fiscal year.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.730

<sup>2</sup>KRS 161.220

KRS 157.360

016 KAR 004:040

**RELATED POLICY:**

03.121

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -**

**Transfer of Tenure**

All teachers employed who have attained continuing contract status from another Kentucky district shall serve a one (1)-year probation period before being considered for continuing contract status in the school District.

**REFERENCE:**

KRS 161.740 (1) (c)

Adopted/Amended: 04/15/1999

Order #: 2993

**-CERTIFIED PERSONNEL-****Compensation and Benefits****ESTABLISHMENT**

The Advisory Committee shall annually review salary schedules and benefits, and the Board shall annually establish salary schedules and employee benefits for all certified personnel.

**COBRA**

At the time of initial employment an employee shall be given the first COBRA notification. Second notification and continuation of benefits shall be contingent upon the employee's notifying the district of a qualifying event.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>Consolidated Omnibus Budget Reconciliation Act  
26 CFR Part 1  
KRS 157.320 (12)  
KRS 160.290 (1)  
KRS 160.340 (2e)  
702 KAR 003:070

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Salaries****SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Board must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

**EXTENDED EMPLOYMENT**

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the District budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect.

**EXTRA SERVICES AND SUPERVISION**

The Advisory Committee shall annually review and the Board shall annually establish a schedule of compensation for extra services and supervision. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2000 for the life of the certificate.

**RANK AND EXPERIENCE**

The rank and experience of certified personnel shall be determined at the time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for National Board certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

**EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

**PAYROLL DISTRIBUTION**

Checks will be issued according to a schedule approved annually by the Board.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**Salaries****QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, health examinations, and verifications of experience prior to beginning work.

**NOTICE OF SALARY**

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

**LIST OF SALARIES**

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.120 to publish advertisements for the District.

**PAYROLL DEDUCTIONS**

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.1211.

**REFERENCES:**

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360  
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420  
KRS 160.290; KRS 160.291  
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.168; KRS 161.760  
KRS 424.120; KRS 424.220  
702 KAR 003:060; 702 KAR 003:070  
702 KAR 003:100; 702 KAR 003:310  
016 KAR 001:040; OAG 97-25  
29 C.F.R. Section 541.303, 29 C.F.R. section 541.602.29, C.F.R. section 541.710

**RELATED POLICIES:**

03.114, 03.1211, 03.4

Adopted/Amended: 07/18/2013  
Order #: 5116

**- CERTIFIED PERSONNEL -****Salaries****SALARY SCHEDULE DEVELOPED AND APPROVED**

The Board shall approve a single salary schedule, a separate salary schedule or index system for extra services and supervision, and a salary schedule for substitute teachers during or before the June Board meeting.

The single salary schedule shall meet state requirements for Ranks I, II, III, IV, and V, provide employment for the school term as set by the Board in keeping with statutory requirements, and contain experience categories.

Extra services compensation shall be based on expanded duties and responsibilities, time demands, and expertise and shall be paid only upon documentation of services rendered.

The Board may establish separate salary schedules for: substitute teachers, teachers teaching less than a half-day, and nursery school teachers.

**SALARY FOR PERSONNEL WHO RESIGN**

Certified personnel who resign during the school year or at the end of the school year will be paid in full on the regular payday of the month following the resignation. Final payment will be calculated as follows: Annual salary divided by the number of days of employment times number of days taught minus salary previously received, equals balance due at time of resignation. Staff may be paid only for those holidays occurring prior to resignation.

**EXTENDED EMPLOYMENT**

Extended employment is defined as the number of days certified personnel are contracted to work in addition to the minimum -school term. Extended employment will be approved only for those activities that are necessary to improve the educational programs in the school District. The length of employees' regular work day shall be established by the Board and reflected in the job description for each position. Saturday and Sunday will be placed on the calendar as workdays only with approval of the Superintendent.

**EXTENDED CALENDAR WORK PLAN**

An individual calendar and extended work plan shall be prepared by the employee who has been employed by the Board for a period exceeding the minimum school term. The plan shall be approved by the Principal (if applicable) and submitted to the Superintendent.

**AMENDMENT TO EXTENDED CALENDAR WORK PLAN**

Amendments to the extended employment calendar and/or the work plan for teachers must be approved by the building Principal. Changes for all other personnel must be approved by the Superintendent.

Review/Revised:6/15/06

**HAZARD INDEPENDENT SCHOOLS  
CERTIFIED SALARY SCHEDULE  
2014-2015**

TEACHING EXP # YRS	RANK I (MA PLUS 30 UP)	RANK II (MA TO MA PLUS 29)	RANK III (BA TO MA)	RANK IV (96-128 HOURS)	RANK V (64-95 HOURS)
	SALARY	SALARY	SALARY	SALARY	SALARY
0	\$44,257	\$40,093	\$36,090	\$32,087	\$30,166
1	\$44,416	\$40,254	\$36,250	\$32,087	\$30,166
2	\$44,579	\$40,413	\$36,412	\$32,087	\$30,166
3	\$44,739	\$40,572	\$36,570	\$32,087	\$30,166
4	\$48,101	\$44,095	\$40,254	\$32,087	\$30,166
5	\$48,260	\$44,257	\$40,413	\$32,087	\$30,166
6	\$48,419	\$44,416	\$40,572	\$32,087	\$30,166
7	\$48,580	\$44,575	\$40,734	\$32,087	\$30,166
8	\$48,739	\$44,739	\$40,893	\$32,087	\$30,166
9	\$48,902	\$44,897	\$41,055	\$32,087	\$30,166
10	\$53,384	\$49,220	\$45,057	\$32,087	\$30,166
11	\$53,543	\$49,380	\$45,218	\$32,087	\$30,166
12	\$53,704	\$49,543	\$45,376	\$32,087	\$30,166
13	\$53,863	\$49,700	\$45,537	\$32,087	\$30,166
14	\$54,023	\$49,861	\$45,696	\$32,087	\$30,166
15	\$54,988	\$50,821	\$46,819	\$32,087	\$30,166
16	\$55,146	\$50,980	\$46,980	\$32,087	\$30,166
17	\$55,302	\$51,140	\$47,138	\$32,087	\$30,166
18	\$55,465	\$51,302	\$47,297	\$32,087	\$30,166
19	\$55,623	\$51,463	\$47,458	\$32,087	\$30,166
20-24	\$55,944	\$51,783	\$47,778	\$32,087	\$30,166
25+	\$57,063	\$52,819	\$47,778	\$32,087	\$30,166



**- CERTIFIED PERSONNEL -****Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process (e.g., salary attachments, etc.);
5. Medicare (FICA), for employees newly hired after 3/31/86; and
6. Other mandatory levies or deductions as may be required by law.

**OPTIONAL DEDUCTIONS**

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board-approved health/life insurance program;
2. Board-approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board-approved credit union;
5. United Way;
6. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
7. Membership dues for professional teachers' organizations when thirty percent (30%) or more eligible members request the deduction. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding teachers' organizations devoted to a particular discipline or disciplines, e.g., organizations for mathematics teachers, English teachers, etc. (For purposes of this policy, a professional teacher organization is one in which all teachers are eligible for membership.)
8. Membership dues in professional administrators' or supervisors' organizations when thirty percent (30%) or more of the eligible members request the deductions. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding administrators' or supervisors' organizations devoted to a particular discipline or disciplines, e.g., organizations for school business officials, personnel officers, etc. (For purposes of this policy, a professional administrators' or supervisors' organization is defined as a professional organization in which all administrators and supervisors are eligible for membership.)

The above limitations as to groups specified in subsections (7) and (8) above are designed to permit the Board to maintain a practicable control over the number of payroll deductions.

No other payroll deductions shall be made by the Board.

**REFERENCES:**

KRS 160.291, KRS 161.158, OAG 72-802

Adopted/Amended: 06/17/2008

Order #: 4281

### **Program Vendor Requirements**

The Superintendent/designee(s) shall determine annually the types of deductions to offer and which companies to recommend to the Board.

In order to be added to the Board-approved list of vendors, the company(ies) must meet the following criteria:

- Offer a better rate.
- Have a different feature than presently being offered.
- Replace a company that has been discontinued.
- Are required by statute or regulation.
- Other, specify \_\_\_\_\_

For each type of payroll deduction, any company wishing to be added must maintain at least twenty (20) payers (not number of contracts).

Companies with fewer than the number of required payers on a billing will be deleted at the end of the fiscal year for which they fell below the required number of payers.

Procedure for adding outside insurance companies:

1. The company contacts the Superintendent and he/she sends a letter to the school indicating that a representative will be contacting the Principal to schedule a meeting with his/her staff.
2. The Principal will notify the staff that a meeting will be scheduled after school for individuals interested in the program.

In addition to the above requirements, payroll deduction companies must provide the following services:

- Coordinate with third-party administrator.
- Execute a master contract.
- Conform to all insurance regulations put forth by the Kentucky Department of Insurance.
- Designate a representative within a 100-mile radius and provide current name(s), address(es), and phone number(s).
- Provide information for comparison sheet.
- Provide current brochures with rates to all school employees.
- Provide ample supply of membership and claims forms
- Provide a timely billing procedure to conform to other deductions.
- Participate in annual benefits fair, if applicable, and/or meet with staff during non-instructional times as designated by the Principal.
- Furnish 1099's for benefits paid under Section 125 and refunds of tax-exempt premiums.
- Provide watts line for billing, claims, questions relating to coverage.
- Provide Fax number for faster correspondence.

Review/Revised:9/23/99

**- CERTIFIED PERSONNEL -****Reduction in Salary and Responsibility**

Salaries for teachers shall not be less than the preceding year unless such reduction is part of a uniform plan affecting all teachers in the entire District or unless there is a reduction of responsibilities.

Reduction of responsibility for teachers may be accompanied by a corresponding reduction in salary. Written notice that states the specific reason(s) for the reduction shall be furnished teachers no later than ninety (90) days before the first student attendance day of the school year or May 15, whichever occurs earlier.

**REFERENCE:**

KRS 161.760

Adopted/Amended: 06/17/2008

Order #: 4281

**-CERTIFIED PERSONNEL-****Holidays**

All certified employees shall be paid for four (4) holidays which shall be designated in the official school calendar. These are part of the school year required by state law.<sup>1</sup>

Certified personnel employed for more than 225 working days per year shall be eligible for two (2) additional holidays, which shall be designated in the school calendar.

**REFERENCES:**

<sup>1</sup>KRS 158.070

KRS 160.291

KRS 161.220

KRS 161.540

KRS 2.110

KRS 2.190

Adopted/Amended: 07/21/2011

Order #: 4773

**- CERTIFIED PERSONNEL -****Leaves and Absences****APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

**EMPLOYEES EMPLOYED FOR ADDITIONAL JOB**

An individual cannot use a personal, emergency or sick day on the first job to perform an additional job for the District.

**NOTIFICATION**

Certified staff shall notify the school Principal of the need for a substitute teacher no later than 6 a.m. on the day of the (sick or emergency) absence. The Principal must be notified no later than five (5) days prior to a personal or professional day off. Under no circumstances shall a teacher be permitted to take a personal or professional day two (2) weeks prior to testing or during the testing period, unless the Superintendent has granted special permission.

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

**LEAVE FOLLOWING ASSAULT**

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under terms and conditions set forth in KRS 161.155.

**PLACEMENT UPON RETURN**

Employees taking any long-term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**FMLA**

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

**Leaves and Absences**

**REFERENCES:**

KRS 161.155; KRS 161.770

OAG 01-9; Family and Medical Leave Act of 1993

**RELATED POLICIES:**

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124

Adopted/Amended: 07/21/2011

Order #: 4771

**- CERTIFIED PERSONNEL -****Personal Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

**APPROVAL**

The Superintendent or designee must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

**PROHIBITION**

Unless an exception is granted by the Superintendent or designee, personal leave shall not be taken on the day before or the day following a break in the school calendar. Personal and/or professional leave shall not be taken during the testing window, or in the two (2) weeks prior to the testing window, without prior approval by the Superintendent or designee.

**AFFIDAVIT**

Employees taking personal leave must file a personal affidavit on their return to work stating that the leave was personal in nature.

**ACCUMULATION**

On June 30, personal leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

**REFERENCE:**

KRS 161.154

**RELATED POLICY:**

03.1232

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Sick Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to ten (10) days of sick leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

**ACCUMULATION**

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted.

**DEFINITION**

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy. Employees may use up to three (3) days sick leave per school year for emergency leave pursuant to KRS 161.152.

**FAMILY ILLNESS/MOURNING**

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

**TRANSFER OF SICK LEAVE**

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

**SICK LEAVE DONATION PROGRAM**

Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in statute.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.



**Sick Leave**

**AFFIDAVIT**

Upon return to work a certified employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.155, Sec. 2, KRS 161.152, OAG 79-148  
OAG 93-39  
Family & Medical Leave Act of 1993

**RELATED POLICIES:**

03.12322  
03.1233  
03.1236  
03.124  
03.175 (Retirement Compensation)

Adopted/Amended: 10/03/2002  
Order #: 3525

### **Sick Leave Donation Program**

The Sick Leave Donation program allows an employee to request to voluntarily donate sick leave days to another employee who meets applicable eligibility criteria.

#### **WHO MAY CONTRIBUTE**

An employee with a balance of fifteen (15) or more days of accumulated sick leave may donate days to another employee if the donation does not reduce the employee's accumulated sick leave balance to fewer than fifteen (15) days.

#### **ELIGIBILITY CRITERIA**

An employee in need of sick leave days shall meet all of the following conditions in order to be eligible to access days through sick leave donations.

- The employee or a member of his/her immediate family suffers from a medically certified illness, injury, impairment, physical or mental condition, or catastrophic event that has caused or is likely to cause the employee to be absent for at least ten (10) days.
- The employee completes the "Request to Receive Donated Sick Leave" form, and, when appropriate, attaches to this form a statement from a licensed physician certifying the need for the absence and use of leave, and returns the completed form to the Superintendent/designee. In completing the form, the employee gives the Superintendent/designee permission to publicize details regarding the need for the leave. The Superintendent/designee verifies that the requesting employee meets all eligibility criteria.
- The employee exhausts his/her accumulated sick leave, personal leave, and any other paid leave granted by the Board.
- The employee complies with the District's policies governing the use of sick leave.

An employee on donated sick leave shall be considered a District employee and his/her salary, wages, and other employee benefits shall not be affected.

#### **DONATIONS**

As long as the donor's sick leave account balance does not fall below fifteen (15) days, there is no limit on the number of days or the number of times in a school year an employee may donate to the same or a different employee(s).

An employee who wishes to donate sick leave days shall complete the "Request to Donate Sick Leave Days" form. The employee shall include the date and time of the donation on the form and submit the completed form to the Superintendent/designee.

**Sick Leave Donation Program**

**ACCESS OF DONATED DAYS**

An employee requesting the use of donated days must complete and submit to the Superintendent/designee the "Request to Receive Donated Sick Leave" form.

If the employee meets the eligibility criteria, the Superintendent/designee shall forward a notice containing the employee's name and reasons for the need to all administrative staff for distribution to employees.

**RETURN OF UNUSED/UNNEEDED DAYS**

Donors and the number of days donated shall be listed according to the day and time indicated on the "Request to Donate Sick Leave Days" form.

All days remaining after the need has been met and/or at the end of the current school year shall be returned to the contributor(s) on a proportionate/prorata basis.

Review/Revised:9/23/99

**- CERTIFIED PERSONNEL -****Family and Medical Leave****REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

**NOTICES AND DEADLINES**

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

*Deadline for Notice to be Provided:* Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FML certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice as soon as the need becomes known).

*Deadline for Notice to be Provided:* Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

## **Family and Medical Leave**

### **ELIGIBILITY**

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

### **RESTRICTIONS**

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) work week entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both husband and wife are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both an eligible husband and wife are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

### **INTERMITTENT LEAVE/REDUCED HOURS**

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

**Family and Medical Leave****CONTINUATION OF BENEFITS**

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

**RETURN TO WORK**

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

**NOTICE**

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

**REFERENCES:**

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654  
Title I of the FMLA, as amended by the National Defense Authorization Act  
Code of Federal Regulations, Title 29, Part 825

**RELATED POLICIES:**

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

Adopted/Amended: 07/18/2013  
Order #: 5116

**- CERTIFIED PERSONNEL -****Maternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

**UNPAID MATERNITY LEAVE (KRS 161.770)**

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**FMLA**

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with Board Policy 03.12322.

**REFERENCES:**

KRS 161.155; KRS 161.770

OAG 80-151; OAG 84-43; OAG 86-66

Family and Medical Leave Act of 1993

**RELATED POLICIES:**

03.123; 03.1232; 03.12322

Adopted/Amended: 07/13/2010

Order #: 4611

**- CERTIFIED PERSONNEL -****Extended Disability Leave**

This policy shall be applied in a manner consistent with policy 03.113 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

**UNPAID LEAVE**

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the contract year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

**FMLA**

In compliance with the Family and Medical Leave Act of 1993, medical leave shall be granted in accordance with Board Policy 03.12322.

**NOTIFICATION OF RETURN**

Employees on extended disability leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

**VERIFICATION**

The Superintendent may require the employee to secure a licensed physician's verification of disability.

**PLACEMENT UPON RETURN**

Employees taking disability leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**INVOLUNTARY DISABILITY LEAVE**

When, in the opinion of the Board, there is evidence that a teacher or the Superintendent is no longer able to perform satisfactorily the assigned duties, the Board may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by a physician of the Board's choosing. The Board shall bear the cost of this examination.

The Board may suspend the employee temporarily pending the physician's examination and may grant an involuntary leave of absence and renewals thereof following the physician's examination.

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.<sup>1</sup>

**RETIREMENT DISABILITY**

Retirement disability shall be handled in accordance with KRS 161.662.<sup>2</sup>



**Extended Disability Leave**

**REFERENCES:**

<sup>1</sup>KRS 161.790; OAG 65-560, KRS 161.770

<sup>2</sup>KRS 161.662, OAG 80-151

OAG 84-43

Consolidated Omnibus Budget Reconciliation Act

Family & Medical Leave Act of 1993

Americans with Disabilities Act

**RELATED POLICIES:**

03.111

03.113

03.123

03.12322

03.173

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Educational/Professional Leave****EDUCATIONAL/PROFESSIONAL PURPOSE**

Upon written request of a teacher or the Superintendent, the Board may grant leave (without pay) not to exceed two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time attendance at universities or other training or professional activities approved by the Board when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for part-time educational activities.

**LIMITATIONS**

No more than two percent (2%) of the certified employees may be on educational/professional leave at one time. When requests exceed two percent (2%), those submitting the earliest requests will be given first consideration.

To be eligible for educational/professional leave, an employee must have been employed by the District for at least three (3) years.

**TIME OF APPLICATION**

Written application for educational/professional leave must be made at least sixty (60) days before the leave is to begin.

**NOTIFICATION OF RETURN**

Employees on educational/professional leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

**PLACEMENT UPON RETURN**

Employees taking an educational/professional leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**REFERENCES:**

KRS 161.770

OAG 79-106

OAG 84-43

OAG 91-134

Adopted/Amended: 04/15/1999

Order #: 2993

**-CERTIFIED PERSONNEL-****Emergency Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to two (2) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave shall be granted for the following reasons:

**BEREAVEMENT**

Death in the immediate family as defined under sick leave (See Policy 03.1232) or personal friend.

**DISASTERS**

Personal disasters of the magnitude of tornadoes, fires, floods, etc. This applies only in cases not covered by sick leave.

**COURT**

Legal or personal business (to include court appearances) which requires absence during working hours. This is not to include jury duty. (See Policy 03.1237.) Verification of required court appearances shall be filed with the office of the Board of Education, and any compensation or fees received resulting from court services (up to the amount of salary paid) shall be reimbursed to the Board by those receiving leave pay.

**OTHER**

Such other reasons of an emergency or extraordinary nature as approved by the Superintendent.

**RESTRICTIONS**

Emergency leave shall be available for reasons of personal hardship of the employee and shall not be used for seeking other employment, rendering services for pay, for recreational activities, or for personal illness or for illness in the immediate family that is not covered by sick leave. Emergency leave days may be used as sick leave days only after all sick leave days of the employee have been exhausted.

**REQUEST FOR LEAVE**

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

**AFFIDAVIT**

Persons taking emergency leave must file a personal affidavit upon their return to work stating the specific reasons for their absence.

**Emergency Leave**

**USE OF SICK LEAVE**

Employees may use three (3) sick leave days per school year for emergency leave, pursuant to KRS 161.152 and consistent with the above provisions.

**ACCUMULATION**

Emergency leave days not taken during the school year shall not accumulate.

**REFERENCES:**

KRS 161.152

KRS 161.155

OAG 76-427

OAG 72-348

**RELATED POLICIES:**

03.1232

03.1237

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -**

**Jury Leave**

**SALARY**

Any employee who serves on a jury in a duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay (except expense monies), for the period of his actual jury service.

**NOTICE**

Persons who will be absent from work to serve on juries must give advance notice to their immediate supervisors.

**REFERENCES:**

KRS 161.153

OAG 78-696

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Military/Disaster Services Leave**

Military leave will be granted to certified personnel under the provisions and conditions specified in law.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or the reserve corps of the United States Public Health Service shall be entitled to military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

The employee is responsible for notifying his/her immediate supervisor as soon as s/he is notified of an impending military-related absence.<sup>1</sup>

The Board may grant disaster services leave to requesting eligible employees. An "eligible employee" means one who is a certified disaster services volunteer of the American Red Cross. Disaster services leave shall be with pay and shall not exceed thirty (30) work days in any twelve (12)-month period.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 61.373, KRS 61.375, KRS 61.377, KRS 61.394, KRS 61.396

<sup>2</sup>KRS 61.395

KRS 161.168

KRS 161.740 (3)

702 KAR 003:070

OAG 76-316

OAG 74-258

OAG 82-305

Adopted/Amended: 06/15/2006

Order #: 3967

**- CERTIFIED PERSONNEL -****Insurance****INSURANCE**

The Board shall provide unemployment insurance<sup>1</sup>, workers' compensation<sup>2</sup> and liability insurance for all certified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.<sup>3</sup>

**WORKERS' COMPENSATION**

Employees who qualify for workers' compensation benefits following an assault and injury while performing assigned duties should refer to Policy 03.123.

Employees who qualify for Workers' Compensation may be offered the opportunity to participate in an Early Return to Work Program. Transition employment need not be in the same job classification or location, but must comply with the treating physician's restrictions and amendments until the participating employee achieves maximum medical recovery.

**REFERENCES:**

<sup>1</sup>KRS 341.050

<sup>2</sup>KRS 342.630

<sup>3</sup>702 KAR 001:035

KRS 161.158; OAG 83-151

Consolidated Omnibus Budget Reconciliation Act

Kentucky Constitution (Section 3); KRS 161.155; KRS 342.730(6)

**RELATED POLICIES:**

03.1211, 03.123, 03.12322, 03.1241, 03.14

Adopted/Amended: 07/21/2011

Order #: 4771

**-CERTIFIED PERSONNEL-****Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. Employees are to use the most economical rates for travel and conference expenses and maintain records and receipts to support requests for reimbursement. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips.

The Board will be responsible only for actual, allowable expenses. Allowable expenses are:

**MILEAGE**

Mileage between official workstations within the school system and mileage for trips outside the school system that have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the same rate as that of state employees when the employee uses his/her own vehicle.

If an employee's point of origin for travel is the employee's residence, mileage shall be paid for the shorter of mileage between:

- a. Residence and travel destination; or
- b. Workstation and travel destination

**GASOLINE**

Actual costs of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

**TOLLS AND FEES**

Actual parking, bridge and highway toll charges shall be reimbursed. Parking fees must be substantiated by a receipt. A toll receipt is not required. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

**CAR RENTAL**

Car rental charges, including liability and comprehensive insurance, shall be reimbursed when approved in advance, in writing by the Superintendent and the School Council in SBDM schools. Charges must be substantiated by a receipt. The Board will not reimburse an employee for security deposit charges.



**Expense Reimbursement****COMMON CARRIERS**

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Airfare shall be the lowest negotiated coach or tourist class. An employee who obtains a non-refundable ticket via a purchase order and does not use the ticket will be liable for the cost of the airline ticket. A ticket stub/invoice reflecting the cost is required for reimbursement. Sightseeing and pleasure tours are not reimbursable.

**TAXI, LIMOUSINE AND BAGGAGE**

Receipts are required for reimbursement for taxi and limousine service.

Baggage-handling gratuities of one dollar (\$1.00) per bag will be allowed, to a maximum of five dollars (\$5.00) without a receipt.

**MEALS**

Reimbursement for meals while traveling outside the District will be made for actual costs, to a maximum of thirty dollars (\$30.00) per day including gratuities. Any meal exceeding five dollars (\$5.00) must be substantiated by an itemized receipt. Cost of each meal shall be shown separately on the expense account form. Service gratuities of up to fifteen percent (15%) of the amount claimed for each meal may be reimbursed.

**Day Travel**

Unless a statutory exception can be invoked, meal reimbursement SHALL NOT be paid to an employee unless travel involves overnight lodging, with the following exceptions:

- The cost of meals included in a registration fee is reimbursable at the conference rate.
- The cost of a banquet included as part of a statewide meeting.

**Overnight Travel**

Meal cost reimbursement will be allowed on both the day the employee leaves home and on the day he or she returns, to the extent that the leaving and/or return times fall within the periods specified below. Departure and return times shall be indicated on the expense account form for any meal reimbursement.

When departure from destination is:

- Prior to 9:00 am: maximum reimbursement is \$30.00 including gratuities
- After 9:00 am and prior to 2:00 pm: maximum reimbursement is \$23.00 including gratuities
- After 2:00 pm: Maximum reimbursement is \$15.00 including gratuities

When returning to workstation or residence is:

- Prior to 9:00 am: maximum reimbursement is \$7.00 including gratuities
- After 9:00 am and prior to 2:00 pm: maximum reimbursement is \$15.00 including gratuities
- After 2:00 pm: Maximum reimbursement is \$30.00 including gratuities

**Expense Reimbursement****MEALS (CONTINUED)**

The actual cost of meals included in a registration fee is reimbursable. If a meal is provided in a conference, the daily reimbursement rate will be reduced per the following: breakfast - \$7.00; lunch - \$8.00; dinner - \$15.00. Conference meals are reimbursable at the conference rate when a meal is an integral part of the program as opposed to a social or entertainment activity at which food is provided.

**LODGING**

Hotel, motel or campground charges incurred while on approved travel, substantiated by a receipt, are reimbursable subject to the following:

- Lodging accommodations shared with non-Board employees shall be reimbursed at the "single" rate.
- Lodging accommodations within sixty (60) miles of an employee's domicile or workstation shall not be reimbursed unless authorization for reimbursement is granted by the Superintendent prior to travel.
- Movies, telephone calls and other personal expenses must be paid directly to the hotel/motel by the employee and may not be claimed for reimbursement.
- Employees must clearly indicate on hotel/motel bills for whom meals were charged and which meal the charge represents.
- If an employee is provided lodging at no cost, s/he shall attach a statement, signed by the employee, to the expense account form listing the name of the head of household, address, and date(s) of the employee's stay.
- When multiple employees on an approved trip share accommodations and one employee pays for the accommodations, all employees shall sign a statement to that effect. This statement shall be attached to the expense account form.

**GUEST TRAVEL**

The District shall reimburse an employee traveling with guests an amount no greater than the amount of reimbursement available to an employee traveling without guests.

**EXTRA DAYS**

An employee may request or be requested to depart earlier or delay return for one (1) or two (2) days so the District may take advantage of discounts on airline fees. In these cases, meals and lodging will be reimbursed for the extra time the employee is required to spend traveling in order to minimize total trip cost.

**REGISTRATION FEES**

Reimbursement for a registration fee is allowable if a receipt is attached to the expense account form. If a registration fee entitles the registrant to full meals, reimbursement claims for these meals shall not be made. Any registration fee that includes meals or lodging shall be so itemized or explained on the employee's expense account.

**Expense Reimbursement****LONG DISTANCE TELEPHONE CALLS**

Phone calls itemized on a hotel bill will be reimbursed if a notation is made on the expense account that the calls were made to conduct Board-related business. Business-related e-net access shall be limited to a local phone call charge per occurrence.

**TRAVEL OUTSIDE THE UNITED STATES**

Employees authorized by the Superintendent to travel outside the United States or its possessions shall be reimbursed for their actual and necessary expenses for subsistence.

**SETTLEMENT IN U.S. FUNDS**

Reimbursement for expenses incurred in another country shall be made in United States dollars at the current exchange rate. An employee's expense account shall be completed in U.S. dollars for all out-of-country expenses including hotel, meals, and taxi. Documentation of the applicable exchange rate must be provided.

**EMERGENCY REPAIRS TO VEHICLES**

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out-of-District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent.

**UNFORESEEN DEVELOPMENTS**

When unforeseen developments occur, this policy shall be interpreted on a case-by-case basis. The overall guidelines that shall be followed are that no costs should be incurred that are inconsistent with the economical operation of the Board, and that the benefits of travel accrue to the Board, not the individual. Employees are accountable for their travel expense account, which is a sworn itemized statement for the expenditure of public funds.

**ITEMS NOT ALLOWED**

Expenditures for laundry, valet cleaning service, valet parking, travel insurance, entertainment, alcoholic beverages, sightseeing, pleasures tours, etc., are personal charges and are not reimbursable.

**REIMBURSEMENT PROCEDURES**

No request for travel reimbursement will be considered unless filed on the proper form and accompanied by original itemized receipts. A receipt is defined as any preprinted invoice from a hotel, motel, restaurant or other establishment showing the date of service, the amount charged for the service, the location where the service was performed and a description of the expenditure.

Reimbursement requests must be filed within one (1) week of the incurred expenditure to qualify for reimbursement.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

**Expense Reimbursement**

**REIMBURSEMENT PROCEDURES (CONTINUED)**

No one shall receive duplicate reimbursement for any travel expenses.

In the event that some other entity provides partial travel expenses, a statement signed by the employee shall be attached to the expense account form stating the name of the provider and an itemized list of the goods and/or services paid by the other entity.

**EXCEPTIONS**

Any exceptions to these policies must be approved in writing by the Superintendent and attached to the expense account form.

**SUPERINTENDENT'S TRAVEL EXPENSES**

Prior to granting approval for payment, the Board shall review itemized reimbursement requests for the Superintendent's travel expenses in an open board meeting.

**REFERENCES:**

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

*United States v. Correll*, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended: 07/18/2013  
Order #: 5116

**-CERTIFIED PERSONNEL-**

**Enrollment of Employee's Children**

Employees who live in Kentucky but outside the District shall have the option of enrolling their children in the District schools, contingent on the District receiving ADA as provided by law.

**REFERENCES:**

KRS 157.350

KRS 158.120

OAG 72-154

702 KAR 007:125

**RELATED POLICIES:**

09.11

09.12

09.124

09.125

Adopted/Amended: 07/18/2013

Order #: 5116

**- CERTIFIED PERSONNEL -****Assignment**

The assignment of all certified personnel shall be made by the Superintendent.<sup>1</sup> The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel who are certified for the positions they will hold and who possess qualifications established by Board policy, except in the case where no individual applies who is properly certified and/or who meets qualifications set by Board policy.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned unless the relative is not the spouse and was employed in that school during the 1989-90 school year. No spouse of a Principal shall be assigned to the school where the Principal is assigned unless the spouse was assigned in that school during the 1989-90 school year and there is no other position in the District for which the spouse is certified or unless the spouse was employed in the 1989-90 school year and the District has no more than one (1) elementary school, one (1) middle school, and one (1) high school. A Principal's spouse employed in the Principal's school shall be evaluated by another school administrator.<sup>1</sup>

The Superintendent shall not assign a certified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.790 or as part of a corrective action plan established pursuant to the District's evaluation plan.

**REFERENCES:**

<sup>1</sup>KRS 160.380; OAG 76-360  
KRS 156.095; KRS 158.060  
KRS 160.345; KRS 160.390  
KRS 161.760; KRS 161.790  
OAG 11-001; OAG 78-266  
OAG 91-28; OAG 91-149  
OAG 92-1; OAG 92-135

**RELATED POLICY:**

02.4244

Adopted/Amended: 07/19/2012

Order #: 4948

**- CERTIFIED PERSONNEL -****Transfer**

Transfers of certified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

Transfer or reassignment of certified personnel will be made no later than thirty (30) days before the first student attendance day of the school year except to fill vacancies created by illness, death, or resignations; to reduce or increase personnel because of a shift in school population; to make personnel adjustments after consolidation or merger; or to assign personnel according to their major or minor fields of training.<sup>1</sup>

**TRANSFER OF EMPLOYEES CHARGED WITH A FELONY**

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380.

**REFERENCES:**

<sup>1</sup>KRS 161.760; OAG 78-266  
KRS 160.380; OAG 76-360  
OAG 91-149  
OAG 92-1  
OAG 91-115  
OAG 92-135  
OAG 92-78

**RELATED POLICY:**

02.4244

Adopted/Amended: 06/15/2006

Order #: 3967

**- CERTIFIED PERSONNEL -****Promotion**

The promotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under provisions of KRS 160.380.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position.

**REFERENCES:**

KRS 160.380

OAG 76-360

OAG 91-149

OAG 92-1

**RELATED POLICY:**

02.4244

Adopted/Amended: 04/15/1999

Order #: 2993



**- CERTIFIED PERSONNEL -****Demotion**

In accordance with statutory provisions, the demotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**REFERENCES:**KRS 161.760KRS 161.765OAG 76-360KRS 161.164OAG 91-149OAG 92-1OAG 92-135

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Supervision****IMMEDIATE SUPERVISOR**

Supervision shall be provided for all certified employees. Employees shall be informed as to who their immediate supervisor is and to whom they will be responsible.

**JOB DESCRIPTION**

Each employee shall be provided a job description, which shall delineate all essential functions and the general duties and responsibilities of the position held by the employee. Job descriptions shall not be considered all-inclusive descriptions of the job but shall indicate the general parameters of the duties and responsibilities of the position. The immediate supervisor may, as needed, assign other reasonable duties to the employee.

**REFERENCE:**

KRS 160.290(1)

**RELATED POLICY:**

03.133

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Use of School Property**

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

**OUTSIDE WORK**

An employee shall not use any District facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

**ELECTRONIC COMMUNICATIONS**

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

**DRIVING RECORD**

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall annually provide the Superintendent with a copy of their driving record from the Kentucky Department of Transportation. Each employee must also provide the Superintendent with proof of insurance. This copy shall indicate date of coverage. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

**USE OF ASSIGNED TELECOMMUNICATION DEVICES**

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and/or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

**Use of School Property**

**REFERENCES:**

KRS 160.290

KRS 189.292

KRS 281A.205

702 KAR 005:080

Adopted/Amended: 07/18/2013

Order #: 5116

**- CERTIFIED PERSONNEL -****Political Activities**

No District employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

1. Encouraging students to adopt or support a particular political position, party, or candidate; or
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

**SCHOOL BOARD ELECTIONS**

The Superintendent shall inform all District employees of the provisions of KRS 161.164.

**REFERENCES:**

KRS 161.164

OAG 72-700; OAG 63-572

KRS 161.990; OAG 92-145

**RELATED POLICY:**

03.113

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Disrupting the Educational Process**

Any employee who, while under the authority of the Superintendent, participates in or encourages activities that are disruptive to the educational process, whether on school property or at school-sponsored events or activities, may be subject to disciplinary action, including termination of contract.

For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may potentially damage property;
3. Illegal activity; or
4. Conduct which interferes with or hinders the orderly administration of the school and school related activities.

**REFERENCES:**

KRS 160.290

KRS 161.790

**RELATED POLICIES:**

03.113, 03.162, 03.17, 09.422, 10.21

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, possess or use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

**DEFINITIONS**

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to KRS 218A.020.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

**AUTHORIZED DRUGS**

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

**WORKPLACE DEFINED**

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

**Drug-Free/Alcohol-Free Schools****EMPLOYER'S RIGHT OF ENFORCEMENT**

Any employee who is reasonably believed to be impaired by or in possession of an illegal drug, prohibited substance and/or alcohol may be subject to search of his/her workplace. The Superintendent shall take appropriate personnel action against any employee found to be in violation of this policy.

**SUSPENSION/TERMINATION/NON-RENEWAL**

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

**ALTERNATIVE**

As an alternative, the Superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

**REPORTING**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

**NOTIFICATION BY EMPLOYEE**

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

Within ten (10) calendar days after receiving an employee's notification of conviction, the Superintendent shall inform the relevant federal agency(s) of such conviction. A copy of this report shall be simultaneously provided to the members of the Board.

Within thirty (30) calendar days after receiving an employee's notification of conviction, the Superintendent shall take actions to discipline the convicted employee appropriate to the specific circumstance. Such action may include, but is not limited to, requiring the employee to participate satisfactorily in an approved drug abuse rehabilitation program, at the employee's expense, or dismissal of the employee.

**EMPLOYEE COMPLIANCE REQUIRED**

All employees shall be required to confirm in writing their knowledge of the Board's Drug-Free Workplace Policy and their agreement to abide by this policy as a condition of employment.



**Drug-Free/Alcohol-Free Schools****POST-DISCIPLINE DRUG TESTING**

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

**PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and ongoing drug-free/alcohol-free prevention program for all employees that shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

**REFERENCES:**

KRS 160.290; KRS 160.380; KRS 161.120; KRS 161.175

KRS 161.790; KRS 217.900; KRS 218A.1430

016 KAR 001:030; 701 KAR 005:130; 34 CFR Part 85

P. L. 101-226 (Improving America's Schools Act of 1994 (Title IV): Safe and Drug-Free Schools and Communities)

**RELATED POLICIES:**

03.1325; 08.1345; 09.2241

Adopted/Amended: 07/19/2012

Order #: 4948

**- CERTIFIED PERSONNEL -****Use of Tobacco****USE OF TOBACCO PROHIBITED**

The use of any tobacco product is prohibited in any building or vehicle owned or operated by the Board.

Employees may use tobacco products only in areas outside of school buildings as designated by the Principal/designee or school council, as appropriate. Such areas shall be clearly identified and, if possible, isolated from the view of students. Areas outside administrative offices and outside maintenance and transportation complexes shall be designated by the Superintendent/designee.

**REFERENCES:**

KRS 438.050

OAG 81-295

OAG 91-137

KRS 160.290

KRS 160.340

P. L. 107-110 (No Child Left Behind Act of 2001)

**RELATED POLICY:**

09.4232

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Duties**

All employees are expected to use sound judgment in the performance of their duties and to take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

**JOB DESCRIPTION**

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, a job description which establishes all essential functions of the position. The description shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.

**INVESTIGATIONS**

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

**ACCOMMODATION**

Reasonable accommodation shall be provided each qualifying employee with a disability to comply with the requirements of law and regulation.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>Americans With Disabilities Act (ADA)  
P. L. 101-336  
Rehabilitation Act of 1973; P. L. 93-112 Sec. 504  
KRS 158.645; KRS 158.6451  
016 KAR 001:020 (Code of Ethics); OAG 91-10; OAG 92-1

**RELATED POLICY:**

03.113

Adopted/Amended: 07/19/2012

Order #: 4948

**- CERTIFIED PERSONNEL -****Hours of Duty****REGULAR HOURS**

Certified employees shall be prompt in attendance reporting 15 minutes prior to the school day starting time and shall remain on duty until 15 minutes after the school day ends.

No certified employee shall leave his/her job assignment during duty hours without the express approval of his/her immediate supervisor.

**ENTRY/EXIT LOG**

Employees who leave the school premises during school hours shall sign in and sign out by entering the date, the times of departure and return, and the reason for leaving the school premises. The Principal/designee shall ensure that the entry/exit log is consistently used and properly completed.

**ADDITIONAL HOURS**

Certified employees may be required to perform additional duties as directed by school policy or assigned by their immediate supervisor.

**REFERENCES:**

KRS 160.290 (2)

KRS 158.060

OAG 77-718

OAG 65-179

OAG 55-37, 675

**RELATED POLICY:**

03.121

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Health and Safety****SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

The District shall develop, maintain and implement health and safety plans in compliance with state and federal law.

**HAZARD COMMUNICATION PLAN**

The Superintendent/designee shall develop a District Hazard Communication Plan. The plan shall include:

1. The assignment of a District employee to be responsible for the implementation and coordination of the Hazard Communication Plan;
2. The inventory of all chemicals used at each school and worksite;
3. The identification of each chemical in the inventory that is covered by the OSHA Hazard Communication Standard;
4. Maintenance of a Material Safety Data Sheet (MSDS) for each substance on the chemical inventory list for as long as the District uses the substance, plus thirty (30) years;
5. Labeling of all containers of each chemical identified as required by the Hazard Communication Standard;
6. The development of an employee Hazard Communication Information and Training Program; and
7. The development, implementation and maintenance of a written Hazard Communication Program.

**BLOODBORNE PATHOGEN CONTROL**

The Superintendent/designee shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to bloodborne pathogens. The plan shall address:

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;
6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a work-site exposure;

**Health and Safety****BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent/designee shall review and update the Exposure Control Plan at least once each year and when needed to reflect new or modified tasks and procedures that affect occupational exposure or new or revised employee positions with occupational exposure. The review and update shall also address:

1. Changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Annual documentation that appropriate, commercially available and effective safer medical devices that are designed to eliminate or minimize occupational exposure have been obtained and are now in use.

**LOCKOUT/TAGOUT**

The Superintendent/designee shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electrically powered equipment. The plan shall address:

1. Assignment of a District employee to be responsible for implementation and coordination of the lockout/tagout program;
2. A written program consisting of energy control procedures;
3. Development, documentation and utilization of energy control procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintaining equipment;
4. Periodic review of the lockout/tagout program to assure authorized employees are properly controlling unexpected startup or release of stored energy; and
5. Annual training of employees authorized to use lockout/tagout to emphasize program procedures and retraining whenever a periodic review reveals deficiencies in employee performance.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Each year, the Superintendent/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of a District employee responsible for assessing the workplace for hazards;
2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;
3. A training program to be conducted to educate employees about the need for PPE and when it must be worn;
4. Training of employees on the use and care of PPE, how to recognize deterioration and failure and the need for replacement; and
5. Requiring employees to wear designated PPE as deemed necessary by the hazard assessment.

**Health and Safety****ASBESTOS MANAGEMENT**

The District shall conduct school inspection and re-inspection activities as required by state and federal law<sup>1</sup> to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

**REFERENCES:**

<sup>1</sup>401 KAR 058:010, 40 C.F.R. Part 763  
Kentucky Department for Public Health  
Centers for Disease Control and Prevention  
Kentucky Labor Cabinet, 803 KAR 002:308; 803 KAR 002:404  
OSHA 29 CFR 1910  
132 PPE Hazard Assessment  
147 Lockout/Tagout  
1200 Hazard Communication  
1030 Bloodborne Pathogens

Adopted/Amended: 07/19/2012  
Order #: 4948

**- CERTIFIED PERSONNEL -****Personnel Records**

One (1) master personnel file, documenting employment history and including information maintained in electronic format, shall be maintained for each employee. This file shall be maintained in the Central Office and shall be under the custody of the Superintendent or the Superintendent's designee. This file may be inspected by the employee.<sup>1</sup> The Superintendent shall develop procedures to ensure the security of the files.<sup>2</sup>

The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. These folders may contain:

1. Items used as reference and not forwarded to the master personnel file in the Central Office,
2. The employee's evaluation and other school-related correspondence to or from the employee, and
3. Other informational items that may or may not be maintained in the Central Office master personnel file.

**PUBLIC INSPECTION**

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, are not open for public inspection.<sup>3</sup>

**MEDICAL INFORMATION**

Medical information shall be maintained separately from an employee's personnel file.

District acquisition and disclosure of applicant and employee genetic information shall comply with applicable legal requirements.<sup>4</sup>

**REQUEST TO ACCESS PERSONNEL RECORDS**

Personnel records may only be inspected by the employee and by District supervisory personnel having a legitimate educational interest. (03.15 AP.21)

**REFERENCES:**

<sup>1</sup>KRS 61.884

<sup>2</sup>KRS 61.876

<sup>3</sup>KRS 61.878

<sup>4</sup>Genetic Information Nondiscrimination Act of 2008

KRS 61.870; KRS 61.872; KRS 61.874; KRS 160.705; KRS 161.151

704 KAR 003:370

OAG 77-394; OAG 85-109; OAG 86-15; OAG 89-90; OAG 91-161; OAG 91-176

Kentucky Education Technology System (KETS)

Records Retention Schedule, Public School District

Americans with Disabilities Act; (P.L. 101-336); 42 U.S.C. 12112

**RELATED POLICIES:**

03.111; 10.11

Adopted/Amended: 07/13/2010

Order #: 4611



**- CERTIFIED PERSONNEL -****Grievances****PROCEDURES**

The Superintendent shall develop specific grievance procedures to include, but not be limited to, the opportunity for grievances to be addressed and resolved at each level of the chain of command from the point of origin, time limitations for the filing and the appeal of a grievance, and procedures for the orderly review and appeal of each individual grievance.

Grievances are individual in nature and must be brought by the individual grievant.

The Board shall take action only on those grievances that fall within the authority of the Board.

**GENERAL GRIEVANCES**

The Board will hear grievances only after unsuccessful resolution by the employee's supervisors.

**PERSONNEL ISSUES**

The Board will not hear any grievance concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.

Before accepting a grievance appeal, the Board shall seek the advice of the Board Attorney as to whether the appeal falls within the requirements of this policy. Any personnel grievance not falling within those requirements shall be appealed only to the level of the Superintendent.

The Board shall not hear grievances concerning simple disagreement or dissatisfaction with a personnel action.

**EXCEPTION**

Harassment/Discrimination allegations shall be governed by Policy 03.162.

**REFERENCE:**

OAG 78-204

**RELATED POLICY:**

03.162

Adopted/Amended: 10/03/2002

Order #: 3525

### **Grievance Procedures**

Employees wishing to initiate a formal grievance about an alleged violation of a constitutional, statutory, or regulatory provision, of a Board policy, administrative rule, or procedure shall use a Grievance Initiation Form (03.16 AP.2).

#### **CONDITIONS**

1. All grievances are individual in nature and must be brought by the individual grievant.
2. All grievance proceedings shall be conducted outside the regular school day and at a time and place mutually agreed upon.
3. The grievant shall be permitted to have one (1) representative.
4. To the extent possible, all attendant records shall be filed in the office of the immediate supervisor and/or Superintendent and shall be considered private information and separate from the individual employee's folder. All records will be kept for a minimum of three (3) years.
5. No reprisal shall be taken against any aggrieved person because of the filing of a grievance.

#### **TIME LIMITS**

1. Employees must file their grievance within fifteen (15) working days following the alleged violation. However, depending on the nature of the grievance, the Superintendent may recommend an extension of the filing deadline to twenty (20) working days if the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. Days referred to in the grievance initiation form shall be working days, except for any days which are designated as holidays, professional meeting days, national, state, or local disaster or mourning days and any days during the school term on which schools are closed.
3. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
4. If no extension occurs and the grievant does not file an appeal to the next level within ten (10) working days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

#### **SUPERINTENDENT'S/DESIGNEE'S INVOLVEMENT**

1. When appropriate, the grievant shall give his/her communication directly to the Superintendent, thus bypassing the immediate supervisor. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Superintendent.
2. The Superintendent reserves the right to redirect the communicator to the appropriate level.

## **Grievance Procedures**

### **BOARD OF EDUCATION'S INVOLVEMENT**

1. If the employee, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the employee may present his/her written communication to the Superintendent for transmittal to the Board of Education, or notify the Superintendent ten (10) working days prior to the meeting of the Board at which the employee wishes the grievance presented. Employees are not authorized to contact Board members individually about grievances.

The Board shall consider grievances concerning personnel actions in accordance with parameters set out in policy.

2. If the Board decides to review the grievance, the employee will then be afforded an opportunity to appear before the Board at the next regular meeting for relevant discussion of the employee's communication. If the employee does not wish to make a verbal presentation, the employee's right to refrain from such activity will be respected.
3. The Superintendent or the grievant shall present the communication to the Board of Education at its next regularly scheduled meeting.
4. The Board of Education will consider the grievance, and will provide the employee a written response within ten (10) working days after the next regularly scheduled meeting of the Board, following the meeting of the Board at which the grievance was initially presented. The decision of the Board of Education shall be final.

### **RELATED PROCEDURE**

03.16 AP.2

Review/Revised: 1/13/05

**- CERTIFIED PERSONNEL -****Harassment/Discrimination****DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information or disability of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, or prejudice.

**PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

**DISCIPLINARY ACTION**

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

**GUIDELINES**

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.<sup>1</sup>

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to the following:
  - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

**PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**Harassment/Discrimination****CONFIDENTIALITY**

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy or to take corrective action shall be cause for disciplinary action.

**RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.113, 03.1325 and/or 09.422.

**REFERENCES:**

<sup>1</sup>KRS 158.156

42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.113, 03.1325, 03.16, 09.2211, 09.422, 09.42811

Adopted/Amended: 07/19/2012

Order #: 4948

**- CERTIFIED PERSONNEL -****Termination/Nonrenewal/Separation by Employee**

Termination and nonrenewal of contracts shall be the responsibility of the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**CODE OF ETHICS**

Employees who violate provisions of the Professional Code of Ethics for Kentucky School Certified Personnel may be subject to disciplinary action, up to and including termination.

**TERMINATION**

No contract shall be terminated except upon notification of the Board by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.<sup>1</sup>

Termination of contracts of certified personnel shall be made in compliance with the requirements of KRS 161.790.

**ALTERNATIVES TO TERMINATION**

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with KRS 161.790.

**NONRENEWAL**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15. Nonrenewal of limited contracts of certified personnel shall be made no later than May 15 in compliance with the requirements of KRS 161.750.

**SEPARATION BY EMPLOYEE**

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with KRS 161.780.

**REPORTING**

The Superintendent shall comply with the reporting requirements of KRS 161.120.

**REFERENCES:**

<sup>1</sup>KRS 161.790

KRS 161.120; KRS 161.750; KRS 161.780

016 KAR 001:020 (Code of Ethics)

Consolidated Omnibus Budget Reconciliation Act

701 KAR 005:090

OAG 83-362; OAG 92-135

**RELATED POLICY:**

03.172

Adopted/Amended: 07/21/2011

Order #: 4771

**- CERTIFIED PERSONNEL -**

**Notice of Personnel Actions**

With assistance as necessary from the Board Attorney, the Superintendent shall provide written notification to an employee of personnel actions, including but not limited to, termination, nonrenewal, reduction in force, sanctions, suspension, and reinstatement.

Review/Revised:9/23/99



**- CERTIFIED PERSONNEL -****Reduction in Force**

When, by reasons noted in KRS 161.800,<sup>1</sup> it becomes necessary to reduce the number of certified personnel, the Superintendent shall do so in compliance with the statute. The Superintendent, at the first meeting following the reduction in force, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**REFERENCES:**

<sup>1</sup>KRS 161.800  
OAG 82-135  
OAG 80-150

**RELATED POLICY:**

03.1212

Adopted/Amended: 04/15/1999

Order #: 2993

**-CERTIFIED PERSONNEL-****Sanctions**

As an alternative to the termination of a teacher's contract and in accordance with KRS 161.790, the Superintendent, upon notifying the Board and providing written notification to the teacher of the charge, may impose sanctions including but not limited to suspension without pay, or public or private reprimand.

**REFERENCES:**

KRS 160.380  
KRS 161.760  
KRS 161.790  
701 KAR 005:090

**RELATED POLICIES:**

03.1311  
03.17  
03.173  
03.174

Adopted/Amended: 04/15/1999

Order #: 2993

**- CERTIFIED PERSONNEL -****Conflict of Interests****PECUNIARY INTEREST PROHIBITED**

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.<sup>1</sup>

No administrator or other employee shall solicit for personal financial remuneration from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through use of confidential information gained in the course of or by reason of their position of employment with the District.

**EXCEPTION**

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

**REFERENCES:**

<sup>1</sup>KRS 156.480  
KRS 45A.455  
OAG 77-228  
OAG 71-474

Adopted/Amended: 04/15/1999  
Order #: 2993

**- CERTIFIED PERSONNEL -****Suspension****PENDING TERMINATION ACTION**

The Superintendent may suspend a certified employee without pay pending final action to terminate the contract if the character of the charges warrants such action. If a tribunal hearing is requested and the decision of the tribunal is against termination of the contract, the suspended teacher shall be paid full salary for the period of such suspension, except that the Board may appeal the tribunal's decision to the circuit court.

**SANCTIONS**

The Superintendent may suspend a teacher without pay as a disciplinary measure in accordance with KRS 161.790.

**BOARD NOTIFICATION**

The Superintendent, at the first meeting following the suspension without pay, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION**

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need for an investigation of alleged employee actions necessary to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed ten (10) working days. If circumstance arise that require an investigation or other proceedings that may extend beyond ten (10) days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

**REFERENCES:**

KRS 160.390

KRS 161.790

701 KAR 005:090

OAG 92-135, OAG 96-3

938 S.W.2d 880 (Ky. 1996)

**RELATED POLICIES:**

03.1234

03.172

03.174

Adopted/Amended: 06/15/2006

Order #: 3967

**- CERTIFIED PERSONNEL -****Reinstatement****FOLLOWING TERMINATION HEARING**

When a certified employee has been suspended, pending action to terminate the contract, and the tribunal, if requested, decides against termination after a hearing, the employee shall be reinstated in compliance with KRS 161.790, except that the Board may appeal the tribunal's decision to the circuit court.

**SANCTIONS**

A teacher who has been suspended for disciplinary measures may be reinstated by the tribunal in accordance with KRS 161.790.

**REFERENCES:**

KRS 161.790  
938 S.W.2d 880 (Ky. 1996)

**RELATED POLICIES:**

03.172  
03.173

Adopted/Amended: 04/15/1999

Order #: 2993

**-CERTIFIED PERSONNEL-****Retirement****DEFINITION**

Retirement means retirement as determined by Kentucky Teachers' Retirement System guidelines.

**NOTICE**

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement.

**RESPONSIBILITY**

Retirement benefits shall be solely a matter of contract between the employee and the Kentucky Teachers' Retirement System and shall not be the responsibility of the Board except that the Board shall deduct and send to the Kentucky Teachers' Retirement System, in the manner prescribed, those amounts required under law.

**UNUSED SICK DAYS**

The Board shall compensate certified employees only upon initial retirement, or their estate, for each unused sick day at the rate of 30% of the daily salary. This calculation is based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days.<sup>1</sup> The District shall provide compensation for unused sick leave days when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the Kentucky Teachers' Retirement System. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

**ESCROW ACCOUNT**

The Board shall create an escrow account to maintain the funds necessary to reimburse employees who qualify for the retirement benefit.

**REFERENCES:**

<sup>1</sup>KRS 161.155  
KRS 157.420; KRS 161.220  
KRS 161.540; KRS 161.545  
KRS 161.560; KRS 161.600  
OAG 81-1, OAG 83-191, OAG 97-28  
29 U.S.C. 631

Adopted/Amended: 07/21/2011

Order #: 4771

**- CERTIFIED PERSONNEL -****Evaluation****DEVELOPMENT OF SYSTEM**

The Superintendent shall recommend for approval of the Board and the Kentucky Department of Education an evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with applicable statute and regulation.<sup>1</sup>

**PURPOSES**

The purposes of the evaluation system shall be to: improve instruction, provide a measure of performance accountability to citizens, foster professional growth, and support individual personnel decisions.

An evaluation may also be made at any time at which the quality or quantity of work is in question.

**NOTIFICATION**

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel no later than the end of the first month of reporting for employment for each school year.

**REVIEW**

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to attach a written statement to the evaluation instrument. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.<sup>2</sup>

**APPEAL PANEL**

The District shall establish a panel to hear appeals from summative evaluations as required by law.<sup>1</sup>

**ELECTION**

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

**TERMS**

All terms of panel members and alternates shall be for one (1) year and run from July 1 to June 30. Members may be reappointed or reelected.

**CHAIRPERSON**

The chairperson of the panel shall be the certified employee appointed by the Board.

**APPEAL TO PANEL**

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within five (5) working days of the receipt of the summative evaluation. The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity to review documents to be given to the hearing committee reasonably in advance of the hearing and may have representation of their choosing.

**Evaluation****APPEAL FORM**

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

**CONFLICTS OF INTERESTS**

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, husband, wife, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

**BURDEN OF PROOF**

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

**HEARING**

The panel shall hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearings.

**PANEL DECISION**

The panel shall deliver its decision to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within fifteen (15) working days from the date an appeal is filed. No extension of that deadline beyond April 25th shall be granted without written approval of the Superintendent.

**SUPERINTENDENT**

The Superintendent shall receive the panel's decision and shall take such action as permitted by law as s/he deems appropriate or necessary.

**REVISIONS**

The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

**REFERENCES:**

<sup>1</sup>KRS 156.557, 704 KAR 003:345

OAG 92-135, Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

**RELATED POLICIES:**

<sup>2</sup>03.15, 02.14, 03.16

Adopted/Amended: 06/15/2006

Order #: 3967



**-CERTIFIED PERSONNEL-****Appeals/Hearings****PURPOSE**

An Appeals Panel shall be established in accordance with KRS Chapter 156 and 704 KAR 3:345. Based on issues identified in an employee's appeal documentation, the Panel shall determine whether the employee has demonstrated that a procedural violation has occurred under the District's evaluation plan and whether the summative evaluation is supported by the evidence.

The burden of proof that an employee was not fairly and/or correctly evaluated on the summative evaluation rests with the employee who appeals to the Panel.

**APPEALS**

Pursuant to Board Policy 03.18, any certified employee who believes that s/he was not fairly evaluated on the summative evaluation may appeal to the Evaluation Appeals Panel in accordance with the following procedures:

1. Both the evaluatee and evaluator shall submit three (3) copies of any appropriate documentation to be reviewed by members of the Appeals Panel in the presence of all three (3) members. The parties will exchange copies of documentation by or before the day it is submitted to the Panel. The members of the Appeals Panel will be the only persons to review the documentation. All documentation will be located in a secure place in the Central Office except during Appeals Panel meetings. Confidentiality will be maintained. Copies of the documentation as submitted to the Panel shall not be carried away from the established meeting by either parties involved or the Panel members.
2. The Panel will meet, review all documents, discuss, and prepare questions to be asked of each party by the Chairperson. Additional questions may be posed by Panel members during the hearing.
3. The Panel will set the time and place for the hearing, and the Chairperson will provide written notification to the appealing employee and his/her evaluator of the date, time, and place to appear before the Panel to answer questions.
4. Legal counsel and/or chosen representative may be present during the hearing to represent either or both parties.
5. The hearing will be audiotaped and a copy provided to both parties if requested in writing. The original will be maintained by the District.
6. Only Panel members, the evaluatee and evaluator, legal counsel, witnesses, and the employee's chosen representative will be present at the hearing.
7. Witnesses may be presented, but will be called one at a time and will not be allowed to observe the proceedings.

**Appeals/Hearings****HEARINGS**

The following procedures will be implemented during the hearings:

1. The Chairperson of the Appeals Panel will convene the hearing, review procedures, and clarify the Panel's responsibilities.
2. Each party will be allowed to make a statement of claim. The evaluatee will begin.
3. The evaluatee may present relevant evidence in support of the appeal.
4. The evaluator may present evidence in support of the summative evaluation.
5. The Panel may question the evaluatee and evaluator.
6. The Chairperson may disallow materials and/or information to be presented or used in the hearing when s/he determines that such materials and/or information is not relevant to the appeal or when the materials were not exchanged between the parties as provided in this procedure.
7. Each party (evaluator and evaluatee) will be asked to make closing remarks.
8. The chairperson of the Panel will make closing remarks.
9. The decision of the Panel, after sufficiently reviewing all evidence, may include, but not be limited to, the following:
  - a. Upholding all parts of the original evaluation.
  - b. Voiding the original evaluation or parts of it.
  - c. Ordering a new evaluation by a second certified employee who shall be a trained evaluator.
10. The chairperson of the Panel shall present the Panel's decision to the evaluatee, evaluator, and the Superintendent within fifteen (15) working days from the date the appeal is filed.
11. The Superintendent may take appropriate action consistent with the Panel's decision.
12. The Panel's decision and the original summative evaluation form shall be placed in the employee's evaluation file. In the case of a new evaluation, both evaluations shall be included in the employee's personnel file.
13. The Panel's decision may be appealed to the Kentucky Board of Education based on grounds and procedures contained in statute and regulation.

Review/Revised:6/14/07

**- CERTIFIED PERSONNEL -****Confidentiality of Records**

Personnel evaluation records, specifically the personnel evaluation folder and its contents, will be kept as a part of the employee's personnel file and will be treated with the same confidentiality as other personnel records. During an appeal/hearing, evaluation records will be kept in a secure location designated by the Superintendent.

**ACCESSIBILITY**

Evaluation records will be accessible only to:

1. Members of the District Evaluation Appeals Panel when an employee has appealed his/her summative evaluation to the Panel.
2. Administrators who supervise, or share the supervision of, the evaluatee. Generally, these administrators will include the Principal/Assistant Principal in the evaluatee's building, the Superintendent, and other District-level administrative staff members, as designated by the Superintendent.
3. The Board, if the majority of Board members vote to request such access for lawful District purposes and on advice of legal counsel. Board members shall review evaluation records in a closed Board meeting in the presence of the Superintendent.
4. Records may be subpoenaed in cases where litigation occurs.

**RELATED PROCEDURE:**

03.18 AP.11

Review/Revised:10/17/02

**- CERTIFIED PERSONNEL -****Professional Development****PROGRAM TO BE PROVIDED**

The Board shall provide a professional development (PD) program that meets the goals established in KRS 158.6451 and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

The PD program for the District and each school shall be incorporated into the school/District improvement plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

The program shall be based on a Board-approved PD plan for the District, which is designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the school/District improvement plan and teacher growth plans.

**SCHOOL RESPONSIBILITIES**

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review and comment.

**DOCUMENTATION**

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

**REFERENCES:**

KRS 156.095, KRS 156.553  
KRS 158.070, KRS 158.645, KRS 158.6451  
KRS 160.345  
704 KAR 003:035, 704 KAR 003:325

**RELATED POLICIES:**

03.1911; 09.22

Adopted/Amended: 07/17/2014  
Order #: 5297

## **Professional Development**

### **DEFINITIONS**

Professional development is defined as professional learning that is an individual and collective responsibility, that fosters shared accountability among the entire education workforce for student achievement, and:

1. Aligns with Kentucky's Core Academic Standards in 704 KAR 3:303, educator effectiveness standards, individual professional growth goals, and school, district, and state goals for student achievement;
2. Focuses on content and pedagogy, as specified in certification requirements, and other related job-specific performance standards and expectations;
3. Occurs among educators who share responsibility for student growth;
4. Is facilitated by school and district leaders, including curriculum specialists, principals, instructional coaches, competent and qualified third-party facilitators, mentors, teachers or teacher leaders;
5. Focuses on individual improvement, school improvement, and plan implementation; and
6. Is on-going.

Professional development program means a sustained, coherent, relevant, and useful professional learning process that is measurable by indicators and provides professional learning and ongoing support to transfer that learning to practice.

### **PROFESSIONAL DEVELOPMENT PROGRAM**

The Hazard Independent Board of Education believes that improved student learning is at the heart of every school endeavor and is, therefore, the driving force behind professional development. Each educator must grow professionally to continually improve the educational achievement of our students.

The school and District, under the direction of the Professional Development Coordinator (PDC), shall develop and implement plans of continuing professional development. The plans shall include, but not be limited to, the following components:

1. A clear statement of the school or District mission;
2. Evidence of representation of all persons affected by the Professional Development plan;
3. A needs assessment analysis;
4. PD objectives that are focused on the school or District mission, derived from needs assessment, and that specify changes in educator practice needed to improve student achievement; and
5. A process for evaluating impact on student learning and improving professional learning, using evaluation results.

**Professional Development****PROFESSIONAL DEVELOPMENT PROGRAM (CONTINUED)**

Professional development activities shall be in accordance with Kentucky State Regulation.

School-based councils are responsible for determining the content of three (3) days professional development. This must be included in the school plan and submitted to the District Professional Development Coordinator by May 1 of each school year. The District Professional Development Coordinator will disseminate information to schools and assist councils in planning and evaluation of professional development as requested. The District Professional Development Coordinator will also set up District-wide professional development activities through collaboration with the Superintendent.

In addition to job-embedded professional learning included in the Professional Development Plan, it is the responsibility of each full-time certified staff member to complete the twenty-four (24) hours of professional development required in the District calendar. All certified staff is expected to attend District and school-wide professional development sessions. All sessions are to be based on the school/District Comprehensive Improvement plan, needs assessments, and individual growth plans of certified staff. Schools may be granted one (1)-day (6 hours) flexible professional development that will count toward the four (4)-day requirement. Schools must seek Superintendent or designee approval for use of flexible professional development time. If resources are available, the District will honor requests for individuals for specific training above and beyond the District requirements.

Out-of-District professional development activities and conferences will require the certified person fill out a request form, supply an agenda, and receive a certificate of attendance. Approval for out-of-District professional development will require approval of both the school Principal and the District Professional Development Coordinator. The individual requesting the professional development credit is responsible for supplying all required documentation. The Superintendent or his/her designee may approve additional flexible hours upon individual requests.

**RELATED PROCEDURES:**

03.125 AP.21

03.19 AP.21

Review/Revised:7/17/14

**- CERTIFIED PERSONNEL -****Instructional Leaders' Training**

Instructional leaders, as defined by the Educational Professional Standards Board (EPSB), shall participate in a continuing intensive training program designed especially for instructional leaders.

**REQUIRED HOURS**

Each school year an instructional leader shall complete no less than twenty-one (21) participant hours in an intensive training program approved by the Kentucky Board of Education. As required by Kentucky Administrative Regulation, the District shall report the name of any instructional leader who fails to complete the required twenty-one (21) hours of training.<sup>1</sup>

**PROBATION**

Failure to participate in the required training shall result in a one-year probation. Those instructional leaders who fail to complete the training hours for the prior year and the current year during the probationary period shall have their administrative certificates revoked by the Education Professional Standards Board.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.101

<sup>2</sup>704 KAR 003:325

704 KAR 003:035

Adopted/Amended: 06/15/2006

Order #: 3967

**Access to Electronic Media****(Acceptable Use Policy)**

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner.

**SAFETY PROCEDURES AND GUIDELINES**

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including “hacking” and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minor’s access to materials harmful to them.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate, its Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District’s code of acceptable behavior and discipline including appropriate orientation for staff and students.

**PERMISSION/AGREEMENT FORM**

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.



**Access to Electronic Media**

(Acceptable Use Policy)

**EMPLOYEE USE**

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

Employees are encouraged to use electronic mail and other District technology resources to promote student learning and communication with the home and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

Networking, communication, Live@edu and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
  - a. Monitoring and managing the site to promote safe and acceptable use; and
  - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

**Access to Electronic Media**

(Acceptable Use Policy)

**EMPLOYEE USE (CONTINUED)**

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

**COMMUNITY USE**

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

**DISREGARD OF RULES**

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

**RESPONSIBILITY FOR DAMAGES**

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

**RESPONDING TO CONCERNS**

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

**Access to Electronic Media**

(Acceptable Use Policy)

**AUDIT OF USE**

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

**REFERENCES:**

KRS 156.675; 47.U.S.C. § 254; 701 KAR 5:120

16 KAR 1:020 (Code of Ethics)

Public Law 110-385, Broadband Data Improvement Act/Protecting Children in the 21st Century Act.

Kentucky Education Technology System (KETS)

**RELATED POLICIES:**

03.17/03.27

03.1325/03.2325

08.1353; 08.2322

09.14; 09.421; 09.422; 09.425; 09.426

**- CERTIFIED PERSONNEL -**

**Contract**

**CONTRACT**

All certified employees (Superintendent excepted) shall receive either a limited or a continuing contract.<sup>1</sup>

Contracts for certified personnel shall not exceed two hundred sixty-one (261) days per fiscal year.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.730

<sup>2</sup>KRS 161.220

KRS 157.360

016 KAR 004:040

**RELATED POLICY:**

03.121

Adopted/Amended: 04/15/1999

Order #: 2993