

21-May-12

KSBA Policy Service 2012 Policy Update (#35) Checklist

District: Spencer County Schools

So that we can track and store your District's policies in our policy database, please indicate below what action you have taken on the new/revised policies enclosed for your review. We will forward printed or reproducible copies of the policies when we receive this form.

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
02.4241	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
02.4244	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.12322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.131	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.1321	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.1322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.13251	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
Replace 03.133	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.14	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.162	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.22322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.231	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2321	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

	Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
	03.23251	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
Replace	03.233	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	03.24	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	03.262	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	04.32	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	04.7	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	05.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	07.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	07.13	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.1121	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.113	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.1131	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.133	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.2323	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	08.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	09.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	09.121	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	09.1223	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	09.13	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	09.14	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
09.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.311	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.422	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.423	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.425	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.42811	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.4361	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

*Please attach a copy of the modified policy. DO NOT RETYPE A DRAFT - simply indicate the district-initiated changes by writing in colored ink, circling, highlighting, etc.

Superintendent's
Signature

Date

Please return this completed form to KSBA at your earliest opportunity.

Please contact your KSBA Consultant IF you need KSBA to completely reprint all policy pages or to order additional new manuals, instead of just getting copies of the updated policies.

ADDITIONS - NEXT PAGE

ADDITIONAL POLICIES – Changes reflect changes made to the Employee Handbook.

POLICY NUMBER	ADOPT AS WRITTEN	ADOPT W/ MODIFICATIONS	ADOPTION DATE	ORDER NUMBER	KEEP CURRENT POLICY	RESCIND POLICY
03.2235	✓					
08.211	✓					
03.1211	✓					
03.2211	✓					
03.121	✓					
03.221	✓					
03.222	✓					
03.1232	✓					
03.2232	✓					
03.175	✓					
03.225	✓					
03.125	✓					
03.18	✓					
03.273	✓					
03.6	✓					

2012-13
POLICY REVIEW/UPDATE

03.1321 – Certified Personnel – Use of School Property – Use of Vehicles - change
“When the performance of job-related duties includes an employee’s daily commute, the value of the daily commute shall be calculated ~~annually~~ **monthly for daily commute use and annually for periodic commute use** and included in the employee’s earned income per Internal Revenue Service guidelines.”

03.2321 – Classified Personnel – Use of School Property – Use of Vehicles - change
“When the performance of job-related duties includes an employee’s daily commute, the value of the daily commute shall be calculated ~~annually~~ **monthly for daily commute use and annually for periodic commute use** and included in the employee’s earned income per Internal Revenue Service guidelines.”

05.3 – School Facilities – Community Use of School Facilities – Request for Use - change – “In order to allow all requesting educational, religious, agricultural, political, civic, or social groups to use Board property, qualified organizations must submit a request, in writing, to the ~~Superintendent/designee facility Principal~~, not more than four (4) weeks nor less than one (1) week prior to the date on which use of the property is requested.”

05.3 – School Facilities – Community Use of School Facilities – Cancellations - change – “Fees for the use of the facility must be paid **upon receipt of billing** ~~not later than one (1) week in advance of the use date.~~”

08.2323 – Curriculum and Instruction - Access to Electronic Media – add –
“Internet safety measures **and all reasonable attempts, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District’s network,** shall be implemented that effectively address the following:”

08.2323 – Curriculum and Instruction - Access to Electronic Media – change –
“**An Acceptable Use Policy 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 **Acceptable Use Policy form** ~~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.”

LEGAL: THE 2012 GENERAL ASSEMBLY ADDED NEW SECTIONS OF KRS 156 AND KRS 160 TO ALLOW DESIGNATED DISTRICTS AND SCHOOLS OF INNOVATION TO BE GRANTED EXEMPTIONS AND WAIVERS FROM SPECIFIED KENTUCKY REVISED STATUTES, KENTUCKY ADMINISTRATIVE REGULATIONS, AND, FOR A SCHOOL OF INNOVATION, CERTAIN BOARD POLICIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

The Board has general control and management of the public schools in its district. The Board may establish schools and provide for courses and other services it deems necessary for the promotion of education and the general health and welfare of pupils, consistent with the administrative regulations of the State Board for Elementary and Secondary Education.¹

REQUEST FOR WAIVER AND EXEMPTIONS

The Board may authorize the Superintendent to request, on behalf of the District, a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education as permitted by statute.

When approved as a district of innovation by the Kentucky Board of Education, the District may be granted waivers and exemptions from selected Kentucky Administrative Regulations, Kentucky Revised Statutes, and, for a school of innovation, certain Board policies. A school may decide whether it voluntarily chooses to be designated as a school of innovation and, thus, be included in the District's application and plan. However, the Board may require a school identified as persistently low-achieving under KRS 160.346 to participate in the District's plan of innovation.¹¹

SCHOOL FUNDS AND PROPERTY

The Board has control and management of all school funds and public school property and may use its funds and property to promote public education.¹

ADMINISTRATION

The Board shall exercise generally all powers prescribed by law in the administration of the public school system, appoint the Superintendent of schools, create and abolish positions, establish job classifications, and fix the compensation of employees.¹

ROLE

For clarity of purpose and values, Spencer County Schools shall organize all District and school activity around the work of students. Students and parents are our clients and as such, students must be provided challenging, meaningful and engaging work that will lead to high levels of learning. The District must have a leadership commitment which places teachers as the instructional leader, principals as leader of leaders, and all others, such as board members, superintendent and staff, as providers of support for instructional leadership. In order to attain this mission, the role of Board members shall be as followed;

General Powers and Duties of the Board

ROLE (CONTINUED)

Board of Education shall:

- Allocate resources to support the mission/vision of the District.
- Build community support for the mission/vision.
- Support the District's participation in quality professional development.
- Participate in systemic training to support the continuation of improving continuously the quality of education for the youth in our community.
- Any newly elected Board members along with existing Board members, will participate in an orientation with the Superintendent, focused on District building capacity and student achievement.

MANAGEMENT

The Board may set goals for the District and shall make and adopt, and may amend or repeal policies for its meetings and proceedings for the management of the schools and school property of the district, for the transaction of its business and for the qualifications and duties of employees and the conduct of pupils.

SUBPOENA

The Board may, in any investigation or proceeding before it, concerning a matter that may be a proper subject of inquiry by it, summon witnesses by subpoena, enforce their attendance, and require that they testify under properly administered oath.²

INSURANCE

The Board may set aside funds to provide for liability and indemnity insurance against the negligence of the drivers or operators of school buses, other motor vehicles, and mobile equipment owned or operated by the Board.³ The Board may expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in an official or individual capacity, or both, on account of an act made in the scope and course of the performance of legal duties as a Board member.⁴ The Board shall make available liability insurance coverage for the protection of all members of school councils from liability arising in the course of pursuing their duties as members of the councils.⁹

As long as they pay the full cost of premiums required, Board members may choose to participate in any group medical or dental insurance provided by the District for employees.¹⁰

FREE SUPPLIES

The Board may furnish necessary school supplies free of charge to indigent children in its school district, or to such other children as it deems advisable, under such rules and regulations as it may adopt.

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced priced lunches. All students who qualify shall be informed in writing of the fee waiver provisions. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.⁵

General Powers and Duties of the Board**REPORTS**

The Board shall, on forms prepared by the Commissioner of Education and approved by the State Board for Elementary and Secondary Education, prepare and submit to the State Board for Elementary and Secondary Education reports on all phases of its school service. It may prepare and publish for the information of the public a report on the progress of its schools.⁶

LEVY OF TAX RATES

As part of the budgetary process, the Board shall levy tax rates in compliance with statutory and regulatory requirements.⁷

POWER TO BORROW MONEY

The Board may borrow money on the credit of the Board and issue negotiable notes in anticipation of revenues from school taxes and state revenue for the fiscal year in which the money is borrowed, and may pledge the anticipated revenues for the payment of principal and interest on the loan.⁸

CONTRACTS WITH CONSULTANTS

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.⁴

The Superintendent or the Superintendent's designee may contract for consulting services to provide specialized training or assistance to the school system. These contracts shall be for services costing \$5,000.00 or less and lasting less than one (1) calendar month.

Consultants who serve the District shall exercise no authority over District employees but will act only as advisor in accordance with their contract.

APPLICATIONS FOR GRANTS

Schools, employees, and school-related groups who are applying for grants on behalf of the District or District schools shall send a copy of the completed application to the Superintendent/designee, who shall present the application to the Board with a recommendation for approval or disapproval. Except as provided by law, such applications shall not be submitted until the Board gives its approval.

REFERENCES:

¹KRS 160.290; OAG 95-10; ²KRS 160.300; ³KRS 160.310

⁴KRS 160.160; ⁵KRS 160.330; 702 KAR 3:220

⁶KRS 160.340; ⁷KRS 160.470

⁸KRS 160.540; ⁹KRS 160.345; ¹⁰KRS 160.280

¹¹New section of KRS 156.____; New section of KRS 160.____; KRS 160.346

KRS 161.158

KRS 116.200; KRS 156.072; KRS 156.160; KRS 162.010; KRS 416.560

OAG 91-10; OAG 91-122

RELATED POLICIES:

01.41; 01.5; 01.7; 03.124; 03.133; 03.224

LEGAL: THE 2012 GENERAL ASSEMBLY ADDED A NEW SECTION TO KRS 156 TO PERMIT A DESIGNATED SCHOOL OF INNOVATION TO BE GRANTED EXEMPTIONS AND WAIVERS FROM SPECIFIED BOARD POLICIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.5

School Board Policies

TOPICS

The Board shall file in the Board's office its policies including, but not limited to, the following matters:

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meeting of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to certified employees including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion and demotion;
6. Employment and evaluation of the Superintendent of schools;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.¹

INTENTION

It is intended that these policies shall cover matters within the authority and discretion of the Board and not matters otherwise required by law or regulation.¹

UPDATING

Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.¹

ENACTMENT OF POLICY

Except when indicated by an emergency situation, the Board will not enact or revise policy in the same meeting that it is initially introduced. Additional readings shall not be required if the Board amends the policy proposal under consideration at either the first or second reading.

DISSEMINATION OF POLICY

The Superintendent shall develop and implement a system whereby each employee or students shall have access to Board policies. In addition, each new Board member shall be provided with a copy of the Board policy manual and/or access to the District's online manual.

All Board policies shall be reasonably accessible to all District personnel and to the public at large.

School Board Policies**MAINTENANCE OF POLICY MANUALS**

All copies of the official policy manual shall be numbered, housed in specified locations, and kept current through a system developed and implemented by the Superintendent.

POLICIES ARE BINDING

All policies of the Board are binding on employees of the District, schools, students, and on the Board itself.² Employees and students who fail to comply with Board policies may be subject to disciplinary action.

Exception: Policy exemptions may apply to a participating school of innovation as specified in the District's application for district of innovation status as approved by the Kentucky Board of Education.³

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Exception: In the areas specified by KRS 160.345, councils may adopt school policies that differ from Board policy.

REFERENCES:

¹KRS 160.340

²KRS 160.290

³New section of KRS 156.

New section of KRS 160.

KRS 160.345

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RELATED POLICIES:

01.0

01.11

01.6

01.61

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LEGAL: THE 2012 GENERAL ASSEMBLY ADDED NEW SECTIONS TO KRS 156 AND KRS 160 TO PERMIT SCHOOLS OF INNOVATION PARTICIPATING IN A DISTRICT OF INNOVATION APPLICATION AND PLAN TO BE GRANTED WAIVERS AND EXEMPTIONS BY THE STATE BOARD FROM ALL OR PART OF KRS 160.345.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY

The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

1. Determination of curriculum including needs assessment and curriculum development;
Such policies shall determine the writing program for the school, including use of writing portfolios consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.
2. Assignment of all instructional and noninstructional staff time;
3. Assignment of students to classes and programs within the school;
 - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advance Placement, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to advanced placement (AP), International Baccalaureate (IB), dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;
7. Determination of the use of school space during the school day;
8. Planning and resolution of issues regarding instructional practices;
9. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;
As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.
10. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

School Council Policies (SBDM)**ADOPTION OF POLICY (CONTINUED)**

11. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
12. Commitment to a parent involvement process that provides for:
 - a. Establishing an open, parent-friendly environment;
 - b. Increasing parental participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parental outreach programs.
13. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
14. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

OTHER POLICIES

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

REVIEW OF POLICIES

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

School Council Policies (SBDM)

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

COMPLIANCE WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

WAIVER OF STATE REGULATIONS

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

SCHOOLS OF INNOVATION

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS Chapter 160.

The school council shall be responsible for conducting a vote to determine if the school shall be an applicant as a school of innovation in the District's application for district of innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

REFERENCES:

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 160.345; KRS 160.348
New section of KRS 156. ; New section of KRS 160.
OAG 93-55; OAG 94-29; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

01.11, 02.422; 02.4231; 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

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LEGAL: THE 2012 GENERAL ASSEMBLY AMENDED KRS 160.380 TO PERMIT HIRING OF A SUPERINTENDENT'S SPOUSE IN CERTAIN INSTANCES. A SPOUSE WHO HAS AT LEAST EIGHT (8), RATHER THAN THE PREVIOUSLY REQUIRED TWENTY (20), YEARS OF SERVICE IN SCHOOL SYSTEMS MAY BE EMPLOYED IN THE DISTRICT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4244

School Hiring

PRINCIPAL SELECTION

When a vacancy exists in the position of school Principal, the outgoing Principal shall not serve on the council during the Principal selection process.

The Superintendent shall appoint an acting Principal until the new Principal is selected. The interim/acting Principal shall act in the role of chairperson only to facilitate the operation of the council and shall not vote on council decisions, unless otherwise authorized by council procedures.

The Superintendent/designee shall serve as the Chair of the council for the purpose of the hiring process and shall have voting rights during the selection process. The council shall have access to the applications of all persons certified for the position. The Principal shall be elected on a majority vote of the membership of the council.

No Principal who has been previously removed from a position in the District for cause may be considered for appointment as Principal.

A vacancy is created in the position of Principal by the resignation, removal, transfer, retirement or death of the current Principal.

When a Principal vacancy occurs and the school has an index score in the lowest one-third (1/3) of all schools below the assistance line and a completed scholastic audit finds a lack of effectiveness of the Principal and the council, the Superintendent shall appoint a Principal after consulting with the council.

The council shall undergo training, with a trainer of its choice, in recruitment and interviewing techniques prior to carrying out the process of selecting a new Principal. The Board encourages the council to follow one (1) or more of the following practices when arranging for this training:

1. Selection of a trainer approved by the Kentucky Association of School Councils (KASC);
2. Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or
3. Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.

OTHER VACANCIES

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the council in accordance with procedures established by the council, shall fill the position from a list of qualified applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants to the Principal upon request when qualified applicants are available.

School Hiring**OTHER VACANCIES (CONTINUED)**

If a member of the council is a nominee of the Superintendent for any vacant position in the school where he/she is a council member, the council member shall refrain from any action in the selection process. The council member will remain in the council position for all other matters. A special election will be held to fill the member's position on the council for the selection process only. Election will be determined by majority vote.

The Superintendent may forward to the council names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

If the applicant is the spouse of the Superintendent and meets the requirements of KRS 160.380, s/he shall only be employed upon the recommendation of the Principal and the approval of a majority vote of the school council.

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REFERENCES:

KRS 160.345
KRS 160.380
OAG 91-149; OAG 92-78; OAG 92-131
OAG 95-10; OAG 96-38

RELATED POLICIES:

02.4241, 03.11, 03.21

LEGAL: UNDER THE FAMILY AND MEDICAL LEAVE ACT, A QUALIFYING EXIGENCY ONLY RELATES TO INSTANCES OF ACTIVE DUTY OR CALL TO ACTIVE DUTY OF A COVERED FAMILY MEMBER (SPOUSE, SON, DAUGHTER OR PARENT), AND "NEXT OF KIN" IS NOT INCLUDED. THE DELETION MARKED WILL CORRECT THIS PROVISION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.12322

- 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 active duty or call to active duty of a covered family member (spouse, son, daughter, ~~or parent or next of kin~~) 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 family member (spouse, son, daughter, parent or next of kin) who has incurred an 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 duties of his/her office, grade, rank or rating.

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. 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.

- 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 leave is taken to care for a service member's recovery from a serious illness or injury sustained in the line of duty, 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.

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.

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.

PERSONNEL

03.12322
(CONTINUED)

Family and Medical Leave

INTERMITTENT LEAVE/REDUCED HOURS

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

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

LEGAL: THE GENERAL ASSEMBLY HAS AMENDED KRS 160.380 TO PROHIBIT SUPERINTENDENTS FROM ASSIGNING EMPLOYEES TO AN ALTERNATIVE EDUCATION PROGRAM AS PART OF A DISCIPLINARY ACTION OR AS PART OF A CORRECTIVE ACTION PLAN.
FINANCIAL IMPLICATIONS: NONE

PERSONNEL

03.131

- CERTIFIED PERSONNEL -

Assignment

The assignment of all certified personnel shall be made by the Superintendent.¹ 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.¹

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:

¹KRS 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

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RECOMMENDED: AS ADDRESSED BY INTERNAL REVENUE SERVICE NOTICE 2011-72, THE IRS NO LONGER CONSIDERS "DE MINIMUS " PERSONAL USE OF A DISTRICT-PROVIDED PHONE FOR NON-COMPENSATORY BUSINESS AS TAXABLE INCOME.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: REDUCED STAFF TIME SPENT TRACKING USE AND REIMBURSEMENT

PERSONNEL

03.1321

- CERTIFIED PERSONNEL -

Use of School Property

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.

USE OF VEHICLES

With prior approval of the Superintendent or designee, designated employees shall be assigned Board-owned vehicles to use in the performance of job-related duties: When the performance of job-related duties includes an employee's daily commute, the value of the daily commute shall be calculated annually and included in the employee's earned income per Internal Revenue Service guidelines.

Board owned vehicles shall be used for authorized District business purposes only.

Employees shall not smoke in a Board-owned vehicle used to transport students.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall provide the Superintendent upon request with a copy of their driving record from the Kentucky Department of Transportation. 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 digital or cell phones. ~~A uniform and controlled system shall be established for monitoring use and appropriate reimbursement to the District, based on itemized billing statements for each device.~~

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.

NOTE: THE BOARD HAS THE OPTION TO KEEP THIS SECTION IF IT DECIDES EMPLOYEES ARE TO CONTINUE REIMBURSEMENT FOR PERSONAL USE. →

Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)**

NOTE: THE BOARD HAS THE OPTION TO KEEP THIS SECTION IF IT DECIDES EMPLOYEES ARE TO CONTINUE REIMBURSEMENT FOR PERSONAL USE. →

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. ~~The value of an employee's personal use of a District-owned telecommunication device basic plan shall be calculated annually and included in the employee's earned income per Internal Revenue Service guidelines.~~

Should personal use of the telecommunication device cause an additional charge to be added to the monthly basic plan charge, the excess charge is to be reimbursed to the ~~d~~District by the employee.

REFERENCES:

KRS 160.290
KRS 189.292; KRS 189.294
KRS 281A.205
702 KAR 5:080

LEGAL: THE ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES
AN ANNUAL REPORT TO THE BOARD OF DONATIONS MADE TO THE DISTRICT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1322

- CERTIFIED PERSONNEL -

Gifts

Any gift presented to a school employee for the use of the school must have the prior approval of the Superintendent or the Superintendent's designee. Any gift so approved and accepted on behalf of the school becomes the property of the Board. Gifts and donations made to the District shall be reported annually to the Board.

REFERENCES:

KRS 160.580

Accounting Procedures for Kentucky School Activity Funds

LEGAL: THE GENERAL ASSEMBLY HAS ADDED A NEW SECTION TO KRS 218A TO PROHIBIT THE USE OR DISTRIBUTION OF SYNTHETIC DRUGS. THE NEW LANGUAGE IS INTENDED TO APPLY TO SYNTHETIC SUBSTANCES USED FOR AN INTOXICATING PURPOSE WHETHER OR NOT "SCHEDULED" AS ILLEGAL UNDER FEDERAL OR STATE LAW. THIS LAW PASSED WITH AN EMERGENCY CLAUSE AND, THUS, ALREADY IS IN EFFECT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.13251

- 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, purchase, possess, 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, ~~and~~ 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.

PERSONNEL

03.13251
(CONTINUED)

Drug-Free/Alcohol-Free Schools

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.

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 on-going drug-free/alcohol-free prevention program for all employees which 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; New Section of 218A
701 KAR 5:130; KRS 161.790; KRS 217.900; 16 KAR 1:030; 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

RECOMMENDED: KSBA RECOMMENDS THIS CHANGE TO PUT EMPLOYEES ON NOTICE THAT THEY ARE REQUIRED TO COOPERATE WITH DISTRICT INVESTIGATIONS.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.133

- CERTIFIED PERSONNEL -

Roles/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 and self, as well as District property.

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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.

ROLES

For clarity of purpose and values, Spencer County Schools shall organize all District and school activity around the work of students. Students and parents are our clients and as such, students must be provided challenging, meaningful and engaging work that will lead to high levels of learning. The District must have a leadership commitment which places teachers as the instructional leader, principals as leader of leaders, and all others, such as board members, superintendent and staff, as providers of support for instructional leadership. In order to attain this mission, the role of Board members and staff members shall be as followed;

Teachers shall:

- Design challenging, meaningful and compelling work for their students.
- Use evidence of student achievement to determine the hard-to-teach and difficult-to-learn concepts that will require substantial design work.
- Assess student levels of engagement in order to continually improve the design of student work.
- Seek ways to deepen their understanding of how to embed "design qualities" to increase student learning.

Roles/Duties**ROLES (CONTINUED)****Principals shall:**

- Establish and communicate a set of compelling beliefs and a vision, aligned with the district's beliefs and vision, about what the school can look like for all students to learn at high levels.
- Keep the focus on the "core business" and results to be achieved.

Principals shall:

- Ensure that recruitment, selection and induction processes are aligned with the District's beliefs."
- Participate in ongoing professional development to support engaging work for students
- Support teachers in designing the work that they create for students.
- Design professional development for all staff that supports the mission and vision of the school.
- Utilize the professional growth plan process to implement the mission and vision of the school.
- Gather data about students and their needs so that this information can be communicated readily to staff, parents and larger community in ways that they can plan for instructional improvement.

District Level Staff shall:

- Ensure that systems are in place so that the entire District can organize around students and the work provided to students.
- Provide customized support for Principals in their roles as leaders of leaders as well as for teachers in their roles as designers and leaders.
- Ensure that recruitment, selection and induction processes are aligned with the District's beliefs.
- Support Principals and teachers in maximizing flexibility in how resources (time, space, funding, information, personnel and technology) are used to support the work that teachers are inventing.
- Examine policies, procedures, programs and practices regularly to eliminate and/or modify any that do not support the District's beliefs and commitment to organize around students and the work provided to students.

Superintendent shall:

- Communicate to staff, parents and community the vision of the school district.
- Lead the district toward a desired future based on its beliefs, values, commitments, ideas and meanings.
- Ensure that structures and processes are in place so that resource decisions (time, space, funding, information, personnel and technology) are made to support engaging work for students.
- Invite new ways of thinking and create opportunities for leaders to address problems in new ways.
- Ensure there is clarity about the results the district will achieve.

PERSONNEL

03.133
(CONTINUED)

Roles/Duties

ROLES (CONTINUED)

Board of Education shall:

- Allocate resources to support the mission/vision of the District.
- Build community support for the mission/vision.
- Serve as ambassadors in the community and state-wide for Spencer County Schools.

REFERENCES:

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

RELATED POLICIES:

01.11
03.113

LEGAL: FEDERAL REGULATION 40 C.F.R. SEC 763.93 REQUIRES THAT EACH SCHOOL HAVE AN ASBESTOS MANAGEMENT PLAN, AND THAT THE PLAN MUST BE UPDATED REGULARLY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.14

- 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/Director of Operations 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/Director of Operations 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;

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

8. Medical follow-up and counseling for employees after a work-site exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent/Director of Operations 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/ Director of Operations shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electronically/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/Director of Operations 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 law¹ 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.

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REFERENCES:

- ¹401 KAR 58:010, 40 C.F.R. Part 763
- Kentucky Department for Public Health
- Centers for Disease Control and Prevention
- Kentucky Labor Cabinet, 803 KAR 2:308, 803 KAR 2:404, 803 KAR 2:500
- OSHA 29 CFR 1910
- 132 PPE Hazard Assessment
- 147 Lockout/Tagout
- 1200 Hazard Communication
- 1030 Bloodborne Pathogens

RECOMMENDED: KSBA RECOMMENDS THIS CHANGE TO CLARIFY THAT THE TIMELINE RESPONSE CLOCK BEGINS TO RUN ON THE DATE ON WHICH THE DISTRICT IS NOTIFIED OF AN HARASSMENT/DISCRIMINATION COMPLAINT, IN WRITING OR OTHERWISE. ALSO, ADDITIONAL TIME IS RECOMMENDED TO LAUNCH CORRECTIVE/PREVENTATIVE ACTIONS.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.162

- 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.¹

Harassment/Discrimination**GUIDELINES (CONTINUED)**

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.

2. A process to identify and implement, within ~~three~~-five (35) 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. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. 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;

Harassment/Discrimination

PROHIBITED CONDUCT (CONTINUED)

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.

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.

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.

PERSONNEL

03.162
(CONTINUED)

Harassment/Discrimination

REFERENCES:

¹KRS 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

LEGAL: UNDER THE FAMILY AND MEDICAL LEAVE ACT, A QUALIFYING EXIGENCY ONLY RELATES TO INSTANCES OF ACTIVE DUTY OR CALL TO ACTIVE DUTY OF A COVERED FAMILY MEMBER (SPOUSE, SON, DAUGHTER OR PARENT), AND "NEXT OF KIN" IS NOT INCLUDED. THE DELETION MARKED WILL CORRECT THIS PROVISION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.22322

- CLASSIFIED 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 active duty or call to active duty of a covered family member (spouse, son, daughter, or parent or next of kin) 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 family member (spouse, son, daughter, parent or next of kin) who has incurred an 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 duties of his/her office, grade, rank or rating.

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 entitlement should be made in writing. 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.

- 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 leave is taken to care for a service member's recovery from a serious illness or injury sustained in the line of duty, 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.

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) workweek 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.

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.

PERSONNEL

03.22322
(CONTINUED)

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:

03.223; 03.2232; 03.2233; 03.2234; 03.2238; 03.224

LEGAL: THE GENERAL ASSEMBLY HAS AMENDED KRS 160.380 TO PROHIBIT SUPERINTENDENTS FROM ASSIGNING EMPLOYEES TO AN ALTERNATIVE EDUCATION PROGRAM AS PART OF A DISCIPLINARY ACTION OR AS PART OF A CORRECTIVE ACTION PLAN.
FINANCIAL IMPLICATIONS: NONE

PERSONNEL

03.231

- CLASSIFIED PERSONNEL -

Assignment

The assignment of classified 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 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 only in positions for which they are qualified.

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 employed in the 1989-1990 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.¹

The Superintendent shall not assign a classified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.011 or as part of a corrective action plan established pursuant to the District's evaluation plan.

REFERENCES:

¹KRS 160.380
KRS 160.390
KRS 161.011
OAG 91-28
OAG 92-1
OAG 92-135

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RECOMMENDED: AS ADDRESSED BY INTERNAL REVENUE SERVICE NOTICE 2011-72, THE IRS NO LONGER CONSIDERS "DE MINIMUS " PERSONAL USE OF A DISTRICT-PROVIDED PHONE FOR NON-COMPENSATORY BUSINESS AS TAXABLE INCOME.

THIS CHANGE IS NOT REQUIRED BY LAW.

FINANCIAL IMPLICATIONS: REDUCED STAFF TIME SPENT TRACKING USE AND REIMBURSEMENT

PERSONNEL

03.2321

- CLASSIFIED PERSONNEL -

Use of School Property

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.

USE OF VEHICLES

With prior approval of the Superintendent or designee, designated employees shall be assigned Board-owned vehicles to use in the performance of job-related duties. When the performance of job-related duties includes an employee's daily commute, the value of the daily commute shall be calculated annually and included in the employee's earned income per Internal Revenue Service guidelines.

Employees shall not smoke in a Board-owned vehicle used to transport students.

Board owned vehicles shall be used for authorized District business purposes only.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall provide the Superintendent upon request with a copy of their driving record from the Kentucky Department of Transportation. 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 digital or cell phones. ~~A uniform and controlled system shall be established for monitoring use and appropriate reimbursement to the District, based on itemized billing statements for each device.~~

NOTE: THE BOARD HAS THE OPTION TO KEEP THIS SECTION IF IT DECIDES EMPLOYEES ARE TO CONTINUE REIMBURSEMENT FOR PERSONAL USE. →

Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)**

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. ~~The value of an employee's personal use of the District's telecommunication device basic plan shall be calculated annually and included in the employee's earned income per Internal Revenue Service guidelines.~~

~~If~~Should personal use of the telecommunication device causes an additional charge to be added to the monthly basic plan charge, the excess charges ~~is~~are to be reimbursed to the District by the employee.

REFERENCE:

KRS 160.290; KRS 189.292; KRS 189.294
KRS 281A.205; 702 KAR 5:080

~~RELATED POLICIES:~~

~~03.21; 06.221~~

NOTE: THE BOARD HAS THE OPTION TO KEEP THIS SECTION IF IT DECIDES EMPLOYEES ARE TO CONTINUE REIMBURSEMENT FOR PERSONAL USE. ➔

LEGAL: THE ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES
AN ANNUAL REPORT TO THE BOARD OF DONATIONS MADE TO THE DISTRICT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2322

- CLASSIFIED PERSONNEL -

Gifts

Any gift presented to a school employee for the use of the school must have the prior approval of the Superintendent or the Superintendent's designee. Any gift so approved and accepted on behalf of the school becomes the property of the Board. Gifts and donations made to the District shall be reported annually to the Board.

REFERENCES:

KRS 160.580

Accounting Procedures for Kentucky School Activity Funds

LEGAL: THE GENERAL ASSEMBLY HAS ADDED A NEW SECTION TO KRS 218A TO PROHIBIT THE USE OR DISTRIBUTION OF SYNTHETIC DRUGS. THE NEW LANGUAGE IS INTENDED TO APPLY TO SYNTHETIC SUBSTANCES USED FOR AN INTOXICATING PURPOSE WHETHER OR NOT "SCHEDULED" AS ILLEGAL UNDER FEDERAL OR STATE LAW. THIS LAW PASSED WITH AN EMERGENCY CLAUSE AND, THUS, ALREADY IS IN EFFECT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.23251

- CLASSIFIED PERSONNEL -

Drug-Free/Alcohol-Free Schools

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, 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, ~~and~~ 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.

Drug-Free/Alcohol-Free Schools**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.

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.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which 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.

PERSONNEL

03.23251
(CONTINUED)

Drug-Free/Alcohol-Free Schools

REFERENCES:

| KRS 160.290; KRS 217.900; New Section of 218A; 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:

03.2325; 08.1345; 09.2241