

**Bullying/Hazing****PROGRAM TO ADDRESS (CONTINUED)**

6. To help develop peer support networks, social skills, and confidence for all students.
7. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.
8. Each school shall annually submit their bullying programs to be approved at the Regular Board meeting in July before the beginning of each school year.

**REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

As directed by the Superintendent/designee, each Principal shall report on a periodic basis the number of bullying/hazing incidents and progress made toward reducing reoccurrence.

In ~~applicable~~ certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities and complete documentation as required by policy 09.2211; and
2. Investigate and complete documentation as required by the District's harassment/discrimination policies policy 09.42811 covering federally protected areas.

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**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, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

**REFERENCES:**

<sup>1</sup>KRS 158.150; KRS 158.148; KRS 158.156  
KRS 160.290

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

STUDENTS

09.422  
(CONTINUED)

**Bullying/Hazing**

**RELATED POLICIES:**

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438  
09.2211 (re reports required by law)

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

STUDENTS

09.423

### **Use of Alcohol, Drugs and Other Prohibited Substances**

#### **DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

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 student's intent to pass off the item as a controlled substance.

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

#### **DEFINITIONS**

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

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 MEDICATION**

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

#### **PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

**Use of Alcohol, Drugs and Other Prohibited Substances****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. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

**PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. A program that emphasizes and utilizes both education and counseling services as factors in prevention of substance abuse;
3. The District's policies and related procedures on drug-free/alcohol-free schools;
4. 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;
5. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
6. Penalties that may be imposed upon students for violations of this policy.

**REFERENCES:**

OAG 82-633; OAG 93-32

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.290; KRS 161.180; KRS 217.900; KRS 218A.020; New Section of 218A

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, \_\_\_ U.S. \_\_\_, 242 F.3d 1264 (2002).

Improving America's Schools Act of 1994 (IASA), Title IV: Safe and Drug-Free Schools and Communities

**RELATED POLICY:**

09.2241

RECOMMENDED: THE ADDED NOTIFICATION LANGUAGE IS SUGGESTED TO ASSURE THAT POTENTIAL TARGETS OF A SERIOUS THREAT AND PARENTS OF AFFECTED STUDENTS ARE NOTIFIED IN A TIMELY MANNER.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.425

### **Assault and Threats of Violence**

For purposes of this policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### **PUPILS**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup>

#### **SCHOOL PERSONNEL**

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### **REMOVAL OF STUDENTS**

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

#### **REPORT TO LAW ENFORCEMENT AGENCY**

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

#### **NOTIFICATIONS**

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

STUDENTS

09.425  
(CONTINUED)

**Assault and Threats of Violence**

**NOTIFICATIONS (CONTINUED)**

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of weapons violation and/or physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment or contact.

**REFERENCES:**

<sup>1</sup>KRS 158.150  
KRS 158.154; KRS 160.290  
KRS 161.155; KRS 161.190; KRS 161.195  
KRS 508.025; KRS 508.075; KRS 508.078; 702 KAR 5:080

**RELATED POLICIES:**

03.123, 03.223, 06.34

09.14

09.2211

09.422

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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

STUDENTS

09.42811

### **Harassment/Discrimination**

#### **DEFINITION**

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

#### **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**

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

#### **GUIDELINES**

Students who believe they or any other student, employee, 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. 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.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

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) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

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

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

2. A process to identify and implement, within ~~three~~ (3) five (5) school 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 students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; 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/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior 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.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/ discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

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

**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;



**Harassment/Discrimination**

**PROHIBITED CONDUCT (CONTINUED)**

4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, 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 both victims and persons accused of violations.

**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 supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide 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.

**FALSE COMPLAINTS**

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

**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, 09.422 and/or 09.426.

STUDENTS

09.42811  
(CONTINUED)

**Harassment/Discrimination**

**REFERENCES:**

<sup>1</sup>KRS 158.156  
42 USC 2000e, Civil Rights Act of 1964, Title VII  
Racial Incidents and Harassment Against Students at Educational Institutions:  
Investigative Guidance (U.S. Department of Education)  
U. S. Supreme Court - Franklin vs. Gwinnett County  
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  
Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)  
Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

**RELATED POLICIES:**

03.162, 03.262, 09.13, 09.2211, 09.227, 09.422, 09.426, 09.438

LEGAL: THIS CHANGE IS PROPOSED TO CLARIFY THAT AN ABUSE/NEGLECT INVESTIGATION BELONGS TO THE INVESTIGATING BODY (LAW ENFORCEMENT OR CABINET FOR FAMILY AND CHILDREN). THUS IT WILL NOT BE THE DISTRICT'S CALL AS TO WHETHER TO CONTACT PARENTS WHEN IT IS ALLEGED THAT PARENTS HAVE ABUSED OR NEGLECTED THEIR CHILD.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4361

### **Police Officers in the School**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, school officials shall endeavor to notify the parents of students who are arrested.<sup>1</sup>

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

#### **CRIMES OFF SCHOOL PROPERTY**

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and/or do not consent to the interview, the police should be advised to either bring a warrant, court order or juvenile petition or arrange to interview the student off the school grounds.
4. ~~Parental notification/permission shall not be required if the student is an alleged victim of abuse or neglect by the a parents, school officials shall follow directions provided by the investigating officer or Cabinet for Families and Children representative as to whether to contact a parent.~~<sup>2</sup>

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#### **CRIMES ON SCHOOL PROPERTY**

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall notify students' parents as soon as possible.

#### **REFERENCES:**

<sup>1</sup>OAG 76-129

<sup>2</sup>OAG 85-134, OAG 92-138

#### **RELATED POLICY:**

09.1231

**- CLASSIFIED PERSONNEL -****Educational Leave**

Upon recommendation of the Superintendent, the Board may grant classified personnel leave (without pay) for one (1) year for educational or professional purposes. ~~short-term leave with pay for the purpose of obtaining training to enhance the skills required in performing their job or to obtain training in anticipation of a different position with the school system.~~ Leave may be granted for full-time attendance at universities or other training or professional activities approved by the Board when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for part-time educational activities.

**LIMITATIONS**

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

**TIME OF APPLICATION**

Written application for educational/professional leave must be made at least sixty (60) days before the beginning of the school term.

**NOTIFICATION OF RETURN**

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

**PLACEMENT UPON RETURN**

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

**REFERENCE:**

OAG 84-43

## Homework

### STANDARDS FOR ASSIGNMENTS

Each school shall establish standards for out-of-school assignments. These standards shall encompass amounts and types of reasonable homework assignments by grade level.

### PURPOSE OF ASSIGNMENTS

Homework shall be assigned for the improvement of learning. Curriculum-related assignments shall not be used for disciplinary purposes. Assignments should have meaning for the student, should be clear and specific, and should be of an amount and type that may be accomplished in a reasonable period of time.

### MAKE-UP WORK

Students shall have the number of days absent, plus one, to make up work missed, unless additional time is allowed by the teacher. It is the responsibility of the student to request the work/assignments. Teachers shall provide make-up work to elementary students.

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### SUSPENSION

Projects or homework assigned prior to suspension shall be accepted for credit. Students shall be responsible for submitting assignments upon return to school following suspension.

Long-term projects assigned during the suspension and due at a later date shall be accepted. It is the student's responsibility to get those assignments from the teacher.

Work assigned and due during suspension will be accepted. Students have the number of days of the suspension, plus one (1), to make up the work missed, unless additional time is allowed by the teacher. It is the responsibility of the student to request the work/assignments. Teachers shall provide make-up work to elementary students.

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### REFERENCE:

KRS 160.345

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

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
5. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

**OPTIONAL DEDUCTIONS**

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

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

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The above limitations as to groups specified in subsections (6) and (7) above are designed to permit the Board to maintain a practicable control over the number of payroll deductions.

- CLASSIFIED PERSONNEL -

**Salary Deductions**

**MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. Social Security, when applicable;
4. County Employees' Retirement System of the State of Kentucky, when applicable;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
6. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

**OPTIONAL DEDUCTIONS**

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

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. Third Party Administrator Coverage/Products;
- 5.6. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
- 6.7. Membership dues for job-related organizations when thirty percent (30%) or more eligible members request the deduction(s). Such deductions may include a life insurance plan and an income protection plan associated therewith.

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Additional payroll deductions requested by employees shall be made only with the Superintendent's approval. Administrative procedures may limit the number of participants required before additional programs are approved.

**REFERENCES:**

KRS 160.291; KRS 161.158; 702 KAR 1:035; OAG 72-802

## PERSONNEL

## - CERTIFIED PERSONNEL -

Salaries**SINGLE-SALARY BASIS**

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

**EXTENDED EMPLOYMENT**

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

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

**EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION**

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

**RANK AND EXPERIENCE**

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

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

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

Notice of a mid-year change in rank must be submitted by January 15 for purposes of salary adjustment.

Certified employee's with a Daily Wage Threshold exceeding Rank 1 with 27 years of experience daily rate shall be paid at the certified teacher's rank and 27 years of experience from the certified salary scale for the respective school year unless it's a critical shortage position as determined by the Superintendent.

**MILITARY EXPERIENCE**

Employees shall be granted experience on the appropriate District salary schedule for military service at the rate of one (1) year of credit for each three (3) years of full-time military service. The maximum number of years that can be added for military service experience is three (3) years.

**EXCEPTION**

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



**Salaries****PAYROLL DISTRIBUTION**

~~All District employees with the exception of students who work for the District, shall participate in direct deposit of payroll. Checks-Direct deposits will be issued made according to a schedule approved annually by the Board.~~

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Payment of salary shall be paid based on contract days. Full-time, twelve (12)-month employees contracted at a minimum of 240 days will receive pay in the month of July. All other contracted certified employees with less than 240 days will receive pay beginning in the month of August. Paydates will be approved annually by the Board.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary on June 30.

**QUALIFICATIONS**

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

**NOTICE OF SALARY**

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

**LIST OF SALARIES**

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.220 to publish advertisements for the District.

**PAYROLL DEDUCTIONS**

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

**REFERENCES:**

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360  
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420  
KRS 160.290; KRS 160.291  
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.760  
KRS 424.220  
702 KAR 3:060; 702 KAR 3:070  
702 KAR 3:100; 702 KAR 3:310  
16 KAR 1:040; OAG 97-25  
29 C.F.R. Section 541.303, 29 C.F. R. section 541.602.29, C.F.R. section 541.710

**RELATED POLICIES:**

03.114, 03.1211, 03.4

**- CLASSIFIED PERSONNEL -****Salaries****HOURLY OR SALARY BASIS**

All regular and substitute classified personnel shall be employed and paid on an hourly or salary basis as established by the Board.

**WORK DAY/WORK WEEK**

The length of the work day shall be established for each position by the Board. The work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy.

**QUALIFICATIONS**

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

**MILITARY EXPERIENCE**

Employees shall be granted experience on the appropriate District salary schedule for military service at the rate of three (3) years of credit for each five (5) years of full-time military service. The maximum number of years that can be added for military service experience is three (3) years.

**LIST OF SALARIES**

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.220 to publish advertisements for the District.

**PAYROLL DISTRIBUTION**

All District employees with the exception of students who work for the District, shall participate in direct deposit of payroll. ~~Cheeks~~ Direct deposits will be issued made according to a schedule approved annually by the Board.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary no later than June 30.

**PAYROLL DEDUCTION**

The Board shall approve all payroll deductions as specified by specified by KRS 161.158 and Board Policy 03.2211.

**OVERTIME**

Except in cases of emergency, the Superintendent or the Superintendent's designee shall approve in advance all required/requested overtime.

Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1 1/2 times the regular rate for all hours beyond 40 as provided by law for overtime work.

**REFERENCES:**

KRS 78.615; KRS 161.158; KRS 160.291; KRS 161.011; KRS 337.285, KRS 424.220  
702 KAR 3:060, 803 KAR 1:060, 803 KAR 1:070  
Fair Labor Standards Act  
Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985).

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PERSONNEL

03.221  
(CONTINUED)

Salaries

RELATED POLICY:

03.2211

**- CLASSIFIED PERSONNEL -****Holidays/Off Days**

Full-time classified personnel contracted for less than 240 days, shall be paid for four (4) holidays which shall be designated in the official school calendar plus one (1) additional holiday.

~~Twelve-month~~ Full-time classified employees who are contracted for a minimum of 240 days shall receive a total of eight (8) ~~days~~ paid holidays as designated by the Superintendent.

**EXCEPTION**

The Superintendent may require, for security or other reasons, certain classified personnel to work on holidays. In this case, the employee shall be granted the holiday on another day.

**OFF DAYS**

Classified employees who are contracted for a minimum of 240 days work shall receive ten (10) off days with pay per contract year. After ten (10) years of a minimum of 240 days contracted service in the District, these employees shall be granted fifteen (15) off days with pay per contract year. The number of days and the length of each day in the employee's scheduled workweek shall constitute the off time authorized each qualifying employee.

The contract year begins July 1 and ends June 30. Off days shall be scheduled in advance with the approval of the immediate supervisor and are subject to scheduling restrictions due to District operational needs. Off days with pay shall not accumulate from contract year to year. All off days are to be taken by June 30 each year. Qualifying employees will not work these days for additional pay unless requested by the Superintendent.

**REFERENCES:**

KRS 158.070  
KRS 160.291  
KRS 161.154  
KRS 2.110  
KRS 2.190

**- CERTIFIED PERSONNEL -**

**Sick Leave**

**NUMBER OF DAYS**

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

Certified employees who work eleven (11) or twelve (12) months shall be entitled to eleven (11) or twelve (12) days of sick leave, respectively, with pay each school year.

A sick leave day is equal to the employee's regular work day.

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

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

**ACCUMULATION**

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

**DEFINITION**

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

**FAMILY ILLNESS/MOURNING**

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

**TRANSFER OF SICK LEAVE**

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

**SICK LEAVE DONATION PROGRAM**

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

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

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

PERSONNEL

03.1232  
(CONTINUED)

**Sick Leave**

**AFFIDAVIT**

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

**REFERENCES:**

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

**RELATED POLICIES:**

03.12322, 03.1233, 03.124, 03.175 (Retirement Compensation)

**- CLASSIFIED PERSONNEL -**

**Sick Leave**

**NUMBER OF DAYS**

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

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

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

**ACCUMULATION**

Unused sick leave for all classified employees shall accumulate without limitation.

**DEFINITION**

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

**FAMILY ILLNESS/MOURNING**

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

**TRANSFER OF SICK LEAVE**

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

**SICK LEAVE DONATION PROGRAM**

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

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Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

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

PERSONNEL

03.2232  
(CONTINUED)

**Sick Leave**

**AFFIDAVIT**

Upon return to work, an employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

**REFERENCES:**

KRS 161.155, OAG 93-39, OAG 79-148  
Family & Medical Leave Act of 1993

**RELATED POLICIES:**

03.2231; 03.22322; 03.2233; 03.273



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

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

**NOTICE**

Persons retiring should give the Superintendent notice as far in advance as possible but not less than ~~two~~ five (25) weeks prior to retirement.

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**RESPONSIBILITY**

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

**UNUSED SICK DAYS**

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

Employees retiring from the District may be compensated for unused sick leave days only once, even if they are subsequently rehired or previously retired from another district.

**ESCROW ACCOUNT**

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

**REFERENCES:**

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

**- CLASSIFIED PERSONNEL -****Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur the expense, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement.

**REIMBURSEMENT FORM**

No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by the proper receipts. Receipts shall be required for all expenditures with the exception of meals which are paid on a per diem basis. A receipt must show the date of service, the amount charged for the service, the location where the service was provided and a description of the expenditure.

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

**MILEAGE**

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate of forty cents (.40) per mile when the employee uses a personal vehicle.

Mileage outside the school system shall be based on the MapQuest website.

**GASOLINE**

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

**TOLLS AND FEES**

All tolls and parking fees incurred in school-related travel.

**CAR RENTAL**

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt. Additional expense for luxury vehicle rental shall not be reimbursed by the District.

**COMMON CARRIERS**

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sightseeing and pleasure tours are not reimbursable. Additional expense for first-class travel shall not be reimbursed by the District.

**OUT-OF-STATE TRAVEL**

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is the lesser amount. Mileage shall be based on the MapQuest website.

**Expense Reimbursement****LODGING**

Actual monies spent for lodging while on school related travel shall be reimbursed at the cost of a single room rate, except that if employees share lodging, each employee shall be reimbursed the lesser of the single room rate or one-half (1/2) the double rate. Lodging shall be reasonable and necessary, determined by considering the location of the lodging, as determined by the Superintendent.

Cost of lodging within forty (40) miles of the employee's work site or home shall be reimbursed if approved in advance by the employee's immediate supervisor or the Superintendent.

**FOOD**

Actual monies spent for food while on out-of-District trips shall be reimbursed at the per-diem amount established by the Board. Allowable expenses shall be reasonable and necessary as determined by the Superintendent. The total allotted for meals shall be \$35 with per diem rates as follows:

Breakfast	\$ 7.00
Lunch	\$10.00
Dinner	\$18.00

IRC 162 (a) (2) allows reimbursement for meals when an overnight stay occurs. There will be no reimbursement for meals for a one (1)-day workshop without an overnight stay.

**EMERGENCY REPAIRS TO VEHICLES**

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

**REFERENCES:**

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

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

Accounting Procedures for Kentucky School Activity Funds

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

Provided the Superintendent/designee has given prior approval to incur the expense, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement.

**REIMBURSEMENT FORM**

No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by the proper receipts. Receipts shall be required for all expenditures except for meals which are paid on a per diem basis. A receipt must show the date of service, the amount charged for the service, the location where the service was provided and a description of the expenditure.

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

**MILEAGE**

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate of forty cents (.40) per mile when the employee uses a personal vehicle.

Mileage outside the school system shall be based on the MapQuest website.

**GASOLINE**

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

**TOLLS AND FEES**

All tolls and parking fees incurred in school-related travel. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

**CAR RENTAL**

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt. Additional expense for luxury vehicle rental shall not be reimbursed by the District.

**COMMON CARRIERS**

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sightseeing and pleasure tours are not reimbursable. Additional expense for first-class travel shall not be reimbursed by the District.

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**LODGING**

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Cost of lodging within forty (40) miles of the employee's work site or home shall be reimbursed if approved in advance by the employee's immediate supervisor or the Superintendent.

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Actual monies spent for food while on out-of-District trips shall be reimbursed at the per-diem amount established by the Board. Allowable expenses shall be reasonable and necessary as determined by the Superintendent. The total allotted for meals shall be \$35 with per diem rates as follows:

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**REFERENCES:**

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

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

Accounting Procedures for Kentucky School Activity Funds

## PERSONNEL

## - CLASSIFIED PERSONNEL -

Retirement

## NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than ~~two~~ five (25) weeks prior to retirement.

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## UNUSED SICK DAYS

At the time of retirement and under provisions of KRS 161.155 (10), the Board shall compensate classified employees, or their estate, for unused sick days at the rate of thirty percent (30%) of the daily salary rate for each unused sick day. This calculation shall be based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days.<sup>1</sup>

Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

Employees retiring from the District may be compensated for unused sick leave days only once, even if they are subsequently rehired or previously retired from another district.

Retirement shall mean retirement from the County Employees' Retirement System.

## ESCROW ACCOUNT

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

## REFERENCES:

- <sup>1</sup>KRS 161.155
- 29 U.S.C. 631
- KRS 61.545; KRS 78.616; KRS 157.420
- OAG 81-72; OAG 83-191; OAG 97-28

## RELATED POLICY:

03.2232

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

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

**PURPOSES**

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

**NOTIFICATION**

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

**REVIEW**

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to attach a written statement to the evaluation instrument. Both the evaluator and evaluatee shall sign and date the evaluation instrument. Evaluations for non-tenured employees ~~must~~ shall be completed no later than April 15th. Evaluations for tenured employees shall be completed no later than May 15th. Evaluations for administrators shall be completed by June 15th.

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

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**APPEAL PANEL**

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

**ELECTION**

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

**TERMS**

All terms of panel members and alternates shall be for two (2) years and run from September 1 to August 31. Members may be reappointed or reelected.

**CHAIRPERSON**

The chairperson of the panel shall be elected by the panel.

### **Evaluation**

#### **APPEAL TO PANEL**

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within ten (10) working days of the receipt of the summative evaluation. The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity to review documents to be given to the hearing committee reasonably in advance of the hearing and may have representation of their choosing.

#### **APPEAL FORM**

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

#### **CONFLICTS OF INTERESTS**

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

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

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

#### **BURDEN OF PROOF**

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

#### **HEARING**

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

#### **PANEL DECISION**

The panel shall issue a recommendation to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within twenty (20) working days from the date an appeal is filed. No extension of that deadline beyond April 25th shall be granted without written approval of the Superintendent.

#### **SUPERINTENDENT**

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

#### **REVISIONS**

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



PERSONNEL

03.18  
(CONTINUED)

**Evaluation**

**REFERENCES:**

<sup>1</sup>KRS 156.557, 704 KAR 3:345

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

**RELATED POLICIES:**

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

## **Volunteers**

### **DEFINITION**

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution and who participate in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers.

### **UNDER SUPERVISION OF DISTRICT EMPLOYEE**

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff.<sup>1</sup>

### **LIABILITY COVERAGE AND WRITTEN TASK DESCRIPTIONS**

Volunteers who assist in the District on a scheduled basis shall be provided with the same liability insurance coverage as a District employee, and the Principal or the District employee with supervisory responsibility of the volunteer shall provide the volunteer with a written task description detailing responsibilities and expectations, as well as specific qualifications, that may be required.

### **CRIMINAL RECORDS/ADMINISTRATIVE OFFICE OF THE COURT CHECK**

The District shall conduct, at District expense, an AOC (Administrative Office of the Courts) check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children in a classroom with a staff member, on a field trip, or at other school events. After the initial criminal records check, an AOC shall be conducted on these volunteers every three (3) ~~two (2)~~ years.

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a national criminal history background check for safety reasons. With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

Parents, guardians, or other visitors who come to the District schools to observe a classroom, a class program, or a schoolwide program are not subject to criminal records or AOC checks. However, these visits require the Principal's approval.

### **WORK-BASED SITE SUPERVISORS**

Work-based learning site supervisors are considered volunteers. Pursuant to KRS 160.380 and KRS 161.148, prior to being assigned to supervise a student for more than one (1) day in a work-based learning experience, the site supervisor shall have undergone a state criminal background check either as required by their employer at time of employment or within the past twelve (12) months, whichever is the more recent.

**Volunteers****ORIENTATION**

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures. School Principals shall be responsible for training and orientation information for volunteers.

**REFERENCES:**

<sup>1</sup>[KRS 161.148](#)  
[KRS 160.380](#)  
[KRS 161.044](#)

**RELATED POLICIES:**

03.5  
08.113  
08.1131

Adopted/Amended: 08/25/2011  
Order #: 23