

# Policies

LEGAL: FEDERAL LAW REQUIRES EACH DISTRICT RECEIVING FEDERAL FUNDS TO ESTABLISH A NOTICE OF NONDISCRIMINATION, WHICH MAY BE ASKED FOR AS PART OF A FEDERAL AUDIT. THE PROPOSED NEW LANGUAGE IS DESIGNED TO MEET REQUIREMENTS FOR SUCH A NOTICE AND DESIGNATIONS OF CONTACTS FOR TITLE IX AND 504/ADA COMPLAINTS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1

### Legal Status of the Board

#### **CORPORATE POWERS**

1. The school district is under the management and control of the Board of Education consisting of five (5) members.
2. The Board is a body politic and corporate with perpetual succession.
3. The Board shall be known as the "Board of Education of Hardin County, Kentucky."
4. The Board may sue and be sued; make contracts; 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; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.<sup>1</sup>

#### NOTICE OF NONDISCRIMINATION

As required by federal law, the District does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, or age in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

#### **REFERENCES:**

- <sup>1</sup>KRS 160.160
- KRS 160.370
- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964
- 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
- 20 U.S.C. 1681, Education Amendments of 1972, Title IX
- Genetic Information Nondiscrimination Act of 2008
- 20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

#### **RELATED POLICIES:**

- 03.113, 03.212, 09.13
- 03.162, 03.262, 09.42811
- 05.3, 09.3211

LEGAL: CHANGES NOTED ARE SUGGESTED TO REFLECT REQUIREMENTS OF RECENTLY REVISED 703 KAR 5:225. THESE CHANGES HAVE BEEN REVIEWED BY THE KDE OFFICE OF NEXT GENERATION SCHOOLS AND DISTRICTS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

### District Planning

#### PLANNING COMMITTEE

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, monitor, and annually update a District Improvement Plan (DIP).

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.<sup>1</sup>

#### PLANNING CYCLE

The District's planning cycle shall run from July 1-June 30.

The primary purposes of the District Improvement Plan shall be:

- ~~To improve student achievement information, including school and District performance on state and federal mandated testing/accountability instruments;~~
- ~~To eliminate achievement gaps among groups of students; and~~
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

Formatted: Bullets and Numbering

The plan structure shall include, ~~at a minimum, the following components set out in 703 KAR 5:225:~~

- ~~a mission statement;~~
- ~~short and long term goals and objectives;~~
- ~~priority needs resulting from a comprehensive needs assessment;~~
- ~~established gap targets;~~
- ~~strategies and activities along with supporting budgetary information;~~
- ~~opportunities to collaborate with businesses, colleges, and community organizations in providing services as part of or aligned with the District's extended school services (ESS) program; and~~
- ~~a method of and schedule for evaluating the plan that includes implementation and impact checks on completion of plan activities and achievement of plan goals and objectives.~~

Formatted: Bullets and Numbering

The plan shall be updated on an annual basis, provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity. The Superintendent shall present to the Board for review and approval the form and function of the District Plan, including format and timelines.

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan.

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent, the Board shall establish a biennial target for each school for reducing identified gaps in achievement.<sup>2</sup>



POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111  
(CONTINUED)

**District Planning**

**PUBLIC REVIEW**

The plan shall have public review prior to presentation to the Board for final adoption. Opportunity for public and school staff review shall be provided for a period of at least two (2) weeks and shall be advertised in the newspaper of the largest circulation in the District, or as an alternative, post the plan on the District web site and provide for electronic review and feedback.

**REFERENCES:**

<sup>1</sup>KRS 156.500

<sup>2</sup>KRS 158.649

KRS 160.290; KRS 160.345; 703 KAR 5:225; 704 KAR 3:390

**RELATED POLICIES:**

02.44, 02.442, 09.21

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 160.705 TO ESTABLISH REQUIREMENTS FOR DISTRICT RETENTION OF DIGITAL, VIDEO, AND AUDIO RECORDINGS.  
FINANCIAL IMPLICATIONS: ADDITIONAL RECORD-KEEPING DUTIES

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61

### Records Management

#### RECORDS OFFICER

The Superintendent shall designate a Records Officer who shall inventory, analyze and schedule disposition of District records, as well as maintain a destruction record, noting the authorization for said destruction and the amount of records to be destroyed. Each year, the Records Officer shall provide a copy of this record to the Board (Superintendent) and to the Director of the Division of Archives and Records.<sup>1</sup>

An inventory of all public records kept by the District shall be taken, these records to include those made or received by the District in connection with the transaction of school business. Records shall refer to those documents specified in KRS 171.410 and in the Records Retention Schedule, Public School District.

#### SUPERINTENDENT'S RESPONSIBILITIES

Pursuant to statutory requirements, the Superintendent shall establish procedures to safeguard against the unlawful destruction, removal or loss of records.<sup>2</sup> The Superintendent shall notify the Department of Libraries and Archives of any actual, impending or threatened unlawful disposition of records and shall initiate action through the Attorney General for recovery of such records.<sup>3</sup>

#### RETENTION AND DISPOSAL OF RECORDS

The District shall follow the Records Retention Schedule, Public School District in its management of school records. If a record in question is not listed in this schedule, a written request for disposal of records must be submitted by the Superintendent to the Division of Archives and Records and the request must be approved in writing by the State Librarian.<sup>4</sup>

For record and archival purposes, the Superintendent shall place on permanent file one (1) copy of each Board policy that is rescinded or amended in any manner.

When there is a question whether a particular record or group of records should be destroyed, the state archives and records commission shall have exclusive authority to make this decision.<sup>5</sup>

#### LITIGATION

After consultation with the Board Attorney as deemed appropriate, the Superintendent should direct that records relevant to pending or threatened litigation, administrative proceedings, or investigations shall not be destroyed even if the retention period for such records has passed.

#### RETENTION OF RECORDINGS

School officials shall retain any digital, video, or audio recording according to the following:

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited; and

Formatted: ksba normal, Font color: Auto

Formatted: polycytext

Formatted: polycytext, Indent: Left: 0.25", Bulleted + Level: 1 + Aligned at: 1.4" + Tab after: 1.65" + Indent at: 1.65", Tab stops: 0.5", List tab + Not at 1.65"

Formatted: Bullets and Numbering

Formatted: ksba normal, Font color: Auto

**Records Management**

**RETENTION OF RECORDINGS (CONTINUED)**

- Retain for a minimum of one (1) month in an appropriate format, a master copy of any digital, video, or audio recordings of activities that include, or allegedly include, injury to students or school employees without editing, altering, or destroying any portion of the recordings.<sup>6</sup>

Formatted: ksba normal, Font color: Auto

Formatted: Bullets and Numbering

If an incident is being investigated, retain recordings until investigation and legal activity are completed.

Formatted: ksba normal, Font color: Auto

**REFERENCES:**

Formatted: sideheading

<sup>1</sup>725 KAR 1:010

<sup>2</sup>KRS 171.710

<sup>3</sup>KRS 171.720

<sup>4</sup>725 KAR 1:030; KRS 171.420; KRS 171.570

<sup>5</sup>KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020

<sup>6</sup>KRS 160.705

702 KAR 1:025; 725 KAR 1:025

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.5; 04.81



RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS BOARD MEMBER EXPENSES AND THAT THOSE WHICH ARE NOT IN COMPLIANCE WITH POLICY SHALL NOT BE REIMBURSED BY THE BOARD.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.821

### **Board Member Expense Reimbursement**

#### **PER DIEM**

Board members shall receive a per diem of seventy-five dollars (\$75) per regular or special Board meeting or training session attended as required by law, not to exceed \$3,000 per year per member.

#### **IN-DISTRICT EXPENSES**

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed \$3,000 per year per member.

Actual mileage shall be reimbursed at the same rate as that for employees of the District.

Meals incurred inside the District shall not be reimbursed, except for banquets that members attend representing the District.

#### **DEDUCTIONS**

At the request of a Board member, deductions from per diem and expense reimbursement may be made for, but not be limited to, membership dues that provide a reasonable business benefit, health insurance purchases, scholarship funds, and contributions to a political action committee.

#### **OUT-OF-DISTRICT TRAVEL**

Members of the Board shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members shall obtain Board approval prior to incurring out-of-District expenses. Reimbursement shall be at the same rate and allowable time frames as that for employees of the District. Advancements for anticipated expenses shall not be made.

Expenses for personal entertainment shall not be reimbursed.

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

#### **CREDIT CARDS**

Board members shall not be issued District credit cards.

#### **SPOUSE'S TRAVEL**

All travel expenses of spouses shall be paid by the Board member at the time the expense is incurred. There shall be no reimbursement of such expenditures.

#### **REFERENCES:**

KRS 160.280; KRS 161.158  
OAG 76-329; OAG 80-395; OAG 85-53; OAG 92-136

#### **RELATED POLICIES:**

01.4; 03.125; 03.225

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT THE BOARD APPROVE THE SUPERINTENDENT'S COMPENSATION PACKAGE AND CONSIDER THE DISTRICT'S FINANCIAL RESOURCES, CURRENT ECONOMIC CONDITIONS, EMPLOYEE PERFORMANCE, AND SALARY DATA FOR SIMILAR POSITIONS AT RELEVANT ORGANIZATIONS WITHIN THE REGION.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## ADMINISTRATION

02.131

### Contract of Superintendent

#### CONTRACT

Except for individuals serving in an interim or acting capacity, the Superintendent shall be granted a contract by the Board for a term of one (1), two (2), three (3), or four (4) years in accordance with statutory requirements.<sup>1</sup>

The Board shall establish and approve the Superintendent's salary and length of term before entering into a contract for his/her employment. In determining compensation for the Superintendent, the Board shall consider the District's financial resources, current economic conditions, employee performance, and salary data for similar positions at relevant organizations within the region.

The Board shall approve the salary, benefits and other conditions of employment to be provided to the Superintendent in an open and public meeting. All such payments, benefits, and conditions shall be clearly documented in the Superintendent's current employment contract and in any contractual extensions approved by the Board thereafter.

#### VACANCY

In case of a vacancy in the office of Superintendent prior to the expiration of the term set by the Board, the term shall expire on the date the vacancy occurs.

When a vacancy occurs between a school Board election and the time that new members take office, the vacancy may not be filled until the new members take office. The Board may appoint an acting Superintendent during that period for a term not to exceed six (6) months. Such term may be renewed once for a period not to exceed three (3) months.

#### RESIGNATION

No Superintendent may resign his/her term prior to its expiration date and accept a new term from the same Board.

#### REFERENCE:

<sup>1</sup>KRS 160.350

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal



LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO REQUIRE EACH COUNCIL TO ADOPT A SCHOOL EMERGENCY PLAN.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

**School Council Policies (SBDM)**

**ADOPTION OF POLICY**

The school council shall adopt a 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 non-instructional 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;
5. Determination of the use of school space during the school day;
6. Planning and resolution of issues regarding instructional practices;
7. 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.
8. 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.
9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.\_\_\_\_;



**School Council Policies (SBDM)**

**ADOPTION OF POLICY (CONTINUED)**

10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
  - a. Establishing an open, parent-friendly environment;
  - b. Increasing parental participation; and
  - c. Improving two-way communication between school and home, including what their child will be expected to learn.
12. 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.
13. 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.

**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.

**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 160.107.

ADMINISTRATION

02.4241  
(CONTINUED)

**School Council Policies (SBDM)**

**SCHOOLS OF INNOVATION (CONTINUED)**

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 160.107. 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  
[A New Section of KRS Chapter 158](#)  
KRS 160.345; KRS 160.348  
KRS 156.108; KRS 160.107; 701 KAR 5:140  
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; 08.1  
09.126 (re requirements/exceptions for students from military families)



LEGAL: IF THE DISTRICT OBTAINS MEDICAL INFORMATION FROM EMPLOYEES AS PART OF THEIR REQUEST FOR AN ACCOMMODATION UNDER SECTION 504 OF THE REHABILITATION ACT, THAT INFORMATION MUST BY LAW BE KEPT CONFIDENTIAL.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.113

- CERTIFIED PERSONNEL -

### **Equal Employment Opportunity**

#### **NONDISCRIMINATION**

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

#### **INDIVIDUALS WITH DISABILITIES**

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

District employment practices shall be in accordance with procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

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

#### **REASONABLE ACCOMMODATION**

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

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

Reasonable accommodation shall be provided as required by law.

#### **ADVISING EMPLOYEES**

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

PERSONNEL

03.113  
(CONTINUED)

**Equal Employment Opportunity**

**REFERENCES:**

<sup>1</sup>KRS 161.164

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

<sup>3</sup>[29 U.S.C. section 1630.14](#)

KRS 207.135

34 C.F.R. 104.3 - 104.14

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

Americans with Disabilities Act ~~of 1990~~

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.133, 05.11



RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT PRIOR APPROVAL OF THE BOARD BE REQUIRED BEFORE THE NUMBER OF DAYS TO BE WORKED IN A CONTRACT OR AN EXTENDED EMPLOYMENT JOB DESCRIPTION FOR A POSITION GO INTO EFFECT. THIS CHANGE IS NOT REQUIRED BY LAW.  
LEGAL: 702 KAR 3:070 SPECIFIES THAT ONLY THE BOARD HAS LEGAL AUTHORITY TO APPROVE A SALARY INCREMENT FOR EXTRA SERVICES  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121

- CERTIFIED PERSONNEL -

### Salaries

#### **SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule providing for minimum number of working days as required by law. The hourly rate for teachers will be calculated by dividing the daily rate by seven (7) hours.

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

Teachers transferring into the District may bring up to twenty-eight (28) years of teaching experience credit for salary purposes.

Certified personnel may receive up to two (2) years experience credit for active military service. The six-month training requirement for National Guard and Reserve service will not qualify an employee for the experience credit. A teacher who is employed by a Board for at least one hundred forty (140) days of a school year and who performs teaching duties for the equivalent of at least seventy (70) full school days during that school year, regardless of the schedule on which those duties were performed, shall be credited with one (1) year of experience. A teacher who is employed by a Board for at least one hundred forty (140) days during each of two (2) school years and who performs teaching duties for the equivalent of at least seventy (70) full school days during those years shall be credited with one (1) year of experience. No more than one (1) year of experience shall be credited for the performance of teaching duties during a single school year.

#### **DETERMINATION OF 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 by 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.

#### **CONTRACTED EMPLOYMENT**

Compensation for employment contracted, shall be prorated on the base pay for 187 days.

Contracted employment positions shall be established in the position job description, funded in the District budget, and specified in the Board policy.

**Salaries****CONTRACTED EMPLOYMENT (CONTINUED)**

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

**EXTENDED EMPLOYMENT**

The Principal or supervisor shall submit an annual plan of extended employment to Human Resources for all personnel who work less than two hundred forty (240) days, but more than the minimum number of working days required by law. This plan should denote the dates when extended days will be worked.

All Family Resource/Youth Service Center Coordinators will submit an annual work plan to their Principal and Central Office supervisor.

Extended employment days may be worked only in whole- or half-day increments. Extended employment days cannot be worked on a Saturday or Sunday. A rare exception may be granted if approval is made in advance by the employee's immediate supervisor and Human Resources. To qualify for this exception, the Saturday or Sunday work must not be related to the employee's primary job duties.

Employees whose positions include 1-45 extended days must work the days and submit documentation to Human Resources by June 23 unless an exception is designated on the extended employment work plan that is approved by the Principal/Supervisor.

All employees who are requesting to be paid all salary owed prior to the end of the fiscal year, as provided for in KRS 160.291, must work all extended days and submit documentation to Human Resources by June 23.

Sick and/or personal leave cannot be used for an extended day unless the day is designated on the extended employment work plan that is submitted to Human Resources.

**EXTRA SERVICES**

Payments for those services shall be made on the same date and at the same time as are regular salaries. A one (1) percent increase will be applied to administrative and extra-service increments annually. Extra-service increments can be split only once with prior approval of Human Resources. Any payment made to an employee must be processed through regular payroll procedures. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary increment for the life of the certificate.

**EXCEPTION**

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

A compensation error/adjustment that needs to be corrected will be adjusted within the fiscal year that the discovery of such is made. Errors identified in previous fiscal years may be corrected if the employee had submitted the necessary paperwork within three (3) months of start date.



**Salaries****PAYROLL DISTRIBUTION**

Payments will be issued monthly (twelve [12] times annually) through Direct Deposit. New employees may be issued thirteen (13) payments the first year of employment. Payments will be issued on the 28th day of each month, unless the 28th falls on a Saturday, Sunday, or holiday in which case payment will be made on the preceding day.

The Board shall make all deferred salary payments on or before June 30 of the current fiscal year, and these deferred payments shall then be directly deposited at the regular pay periods in June, July and August, except that at the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, other credentials, 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.

**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 424.120~~; KRS 424.220; 16 KAR 1:040; OAG 97-25  
702 KAR 3:060, 702 KAR 3:070, 702 KAR 3:100, 702 KAR 3:310  
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

LEGAL: AMENDED FEDERAL FAMILY AND MEDICAL LEAVE REGULATIONS WENT INTO EFFECT IN MARCH CONCERNING MILITARY CAREGIVER LEAVE AND QUALIFYING EXIGENCY REQUESTS. IN ADDITION, THE FAMILY AND MEDICAL LEAVE ACT PROHIBITS AN EMPLOYEE'S DIRECT SUPERVISOR FROM CONTACTING THE EMPLOYEE'S HEALTH CARE PROVIDER FOR INFORMATION CONCERNING A CERTIFICATION IN SUPPORT OF A REQUEST FOR FAMILY AND MEDICAL LEAVE. 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 covered active duty or call to active duty involving deployment to a foreign country of a covered family member the employee's (spouse, son, daughter, or parent) who serves in a reserve component or as an active or retired member of the regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered family service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated an serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties of his/her office, grade, rank or rating or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

#### **NOTICES AND DEADLINES**

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

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

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



**Family and Medical Leave****NOTICES AND DEADLINES (CONTINUED)**

- b. 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.

**ELIGIBILITY**

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

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

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

**RESTRICTIONS**

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/veteran.

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**

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



accept w/ modifications

RECOMMENDED: SEVERAL SUGGESTIONS REFLECT SUGGESTED PRACTICES FROM THE KENTUCKY STATE AUDITOR (FOCUS ON NECESSARY AND ACTUAL EXPENSES, DOCUMENTING FUNDING SOURCE FOR TRIP EXPENSES, PROPER DOCUMENTATION FOR REIMBURSEMENT; AND REVIEW OF SUPERINTENDENT'S TRAVEL EXPENSES IN AN OPEN MEETING PRIOR TO APPROVING REIMBURSEMENT).

THIS CHANGE IS NOT REQUIRED BY LAW

LEGAL: ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES THAT TRAVEL VOUCHERS BE SUBMITTED WITHIN ONE (1) WEEK OF THE TRAVEL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.125

- CERTIFIED PERSONNEL -

### Expense Reimbursement for Travel

Provided the Superintendent/designee has given prior approval to incur ~~thenecessary~~ and appropriate expenses, the Board/School shall reimburse school personnel, within budgeted guidelines, 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/Immediate Supervisor and the School Council when appropriate. 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. Travel expenses for guests of employees shall not be reimbursed.

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

The Board/School will be responsible only for actual expenses.

#### REIMBURSEMENT

Travel vouchers shall be submitted within one (1) week of the travel. No requests for travel reimbursement will be considered unless filed and approved on the proper form and accompanied by ~~the proper itemized~~ supporting documentation.

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

Receipts are required for all reimbursements.

Travel reimbursement requests and supporting documents must be approved by the Immediate Supervisor of the School/Department and/or Project Director of the funding source. All requests with required signatures and supporting documentation must be in the Finance/Accounts Payable Office by the deadline designated ~~each month~~ by the Finance Department in order to be paid at the next scheduled Board meeting.

Requests for travel reimbursements should be filed within sixty (60) days with the exception that June travel for the preceding fiscal year must be filed for reimbursement by July 10 of the new fiscal year.

Allowable expenses are:

Formatted: Default Paragraph Font, Font:

**Expense Reimbursement for Travel****MILEAGE**

In-district travel between the employee's official work station and the destination will be reimbursed at the state rate. Mileage commuting between the employee's home and official work station shall not be paid. The District Mileage Chart will be used to calculate mileage between the Central Office and schools and/or school to school.

Travel outside the District requires prior approval by the Superintendent/Immediate Supervisor and the Council in SBDM schools. Mileage will be calculated between the employee's official work station or home, whichever is the lesser, and reimbursed at the state rate.

Mileage for in-state travel shall be based on an official Kentucky mileage map. An explanation should accompany any variance in excess of ten (10) miles per round-trip. Mileage for out-of-state travel shall be based on the most recent edition of a Rand McNally or AAA Road Atlas.

**GASOLINE**

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Receipts are required.

**PARKING FEES/TOLLS**

All parking fees and tolls incurred in school-related travel and approved on the out-of-District travel request form. Receipts are required. (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/Immediate Supervisor and the Council in SBDM schools. Receipts are required.

**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. Receipts are required.

**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.



**Expense Reimbursement for Travel****MILEAGE**

In-district travel between the employee's official work station and the destination will be reimbursed at the state rate. Mileage commuting between the employee's home and official work station shall not be paid. The District Mileage Chart will be used to calculate mileage between the Central Office and schools and/or school to school.

Travel outside the District requires prior approval by the Superintendent/Immediate Supervisor and the Council in SBDM schools. Mileage will be calculated between the employee's official work station or home, whichever is the lesser, and reimbursed at the state rate.

Mileage for in-state travel shall be based on an official Kentucky mileage map. An explanation should accompany any variance in excess of ten (10) miles per round-trip. Mileage for out-of-state travel shall be based on the most recent edition of a Rand McNally or AAA Road Atlas.

**GASOLINE**

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Receipts are required.

**PARKING FEES/TOLLS**

All parking fees and tolls incurred in school-related travel and approved on the out-of-District travel request form. Receipts are required. (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/Immediate Supervisor and the Council in SBDM schools. Receipts are required.

**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. Receipts are required.

**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.

**Expense Reimbursement for Travel****FOOD**

The number of meals allowed will be determined by the dates and times of the meeting as approved on the out-of-District travel request form. Documentation such as an agenda is required to support breakfast and dinner meals that do not fall within authorized travel times. Meals will not be reimbursed for day trips when an overnight stay is not approved.

Per-diem allowance for meals (receipts required) when an overnight stay is approved will be reimbursed to the employee based on the current state-approved rates for "standard" and "high rate" areas. Effective 1/1/02 rates as of 02/12/02 are as follows:

REIMBURSEMENT FOR NON HIGH-RATE AREAS		
Breakfast	Authorized travel prior to 6:30 A.M.	\$7.00
Lunch	Authorized travel 11 A.M. -2 P.M.	\$8.00
Dinner	Authorized travel after 7:30 P.M.	\$15.00

REIMBURSEMENT FOR HIGH-RATE AREAS*		
Breakfast	Authorized travel prior to 6:30 A.M.	\$8.00
Lunch	Authorized travel 11 A.M. -2 P.M.	\$9.00
Dinner	Authorized travel after 7:30 P.M.	\$19.00

\* "High-rate area" means a city or metropolitan area in which it has been recognized that higher meal costs and lodging rates have historically prevailed and that has been designated by the Secretary of the Finance and Administration Cabinet as a high-rate area. The Cabinet's policies and procedures manual contains a list of "high-rate areas." A list of "high-rate areas" accompanies this policy.

Special meal functions are to be claimed as part of registration fees must be supported by an agenda or supporting documentation.

Meals and mileage will not be reimbursed for District-sponsored meetings within the District.

**LODGING**

Reimbursement for hotel or motel charges incurred in school-related travel shall be reimbursed for a conference that is of a two (2)-day or more duration. Overnight lodging will not be approved for meetings of 50 miles or fewer from the Board Central Office (unless evening activities are scheduled). Lodging shall not exceed the cost of a single-room rate unless approved by the Immediate Supervisor, the Superintendent, the Board, or the SBDM Council when appropriate. Personal proof of payment is required.

**REGISTRATION FEES**

Fees for attendance or admission to conferences or other events provided by sponsors of authorized meetings. Personal proof of payment is required.



PERSONNEL

03.125  
(CONTINUED)

**Expense Reimbursement for Travel**

**OUT-OF-POCKET EXPENSES**

With prior approval, out-of-pocket expenses for teaching materials or postage for Board/School mail. Receipts are required.

Kentucky sales tax will not be reimbursed.

**EMERGENCY REPAIRS TO VEHICLES**

Reimbursement will be made for emergency repairs or to 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.

**SUPERINTENDENT'S TRAVEL EXPENSES**

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

**REFERENCES:**

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

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

Accounting Procedures for Kentucky School Activity Funds

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 157.350 TO ALLOW DISTRICTS ENROLLING CHILDREN OF NONRESIDENT EMPLOYEES TO RECEIVE ADA FUNDS. THE REVISED STATUTE ALLOWS THE DISTRICT TO RECEIVE ADA FOR THE EMPLOYEE'S CHILD, WITHOUT THE NECESSITY OF A RECIPROCAL WRITTEN AGREEMENT.

FINANCIAL IMPLICATIONS: THE DISTRICT SHOULD REVIEW RAMIFICATIONS OF THE AMENDED LAW IN REFERENCE TO EXISTING RECIPROCAL AGREEMENTS.

PERSONNEL

03.127

**-CERTIFIED PERSONNEL-**

### **Enrollment of Employee Child**

Full-time employees who live outside the District shall have the option of enrolling their children in any District school without a tuition charge, contingent on the District receiving ADA as provided by law ~~provided their district of residence signs a contract with the Board.~~

Full-time employees who are residents of the District shall have the option of enrolling their children in any District school, as long as that school is below its 95% capacity. If the school is above 95% capacity, then the employee may apply in the school where they are working or its feeder school (for convenience) and provisions of procedure 9.11 AP.1 would prevail.

#### **PROVISIONS**

The above privileges are based on the following provisions:

1. Employees shall obtain approval from the Principal at each transition point (applications must be received before March 30th of the year prior to the request) from the school of choice. Employees who move into the Hardin County School District and preschool children determined eligible for services after the December deadline will be permitted to make an exception request.
2. It is to be understood by all employees that when District changes are made that cause inconvenience to the general public, the Superintendent may revoke these privileges when they lead to problems or misunderstandings.
3. Adequate space is available. If a school reaches class enrollment maximums on or before September 15, students granted District exceptions will be subject to the provisions of procedure 09.11 AP.1.
4. Written requests for preschool age children will be considered after September 15 when more accurate projections can be determined. This decision will be made by the Principal and Early Childhood Director. To continue in the school of choice, the employee must obtain approval from the Principal at each transition point.
5. The student must have met and continue to meet the guidelines of the Code of Conduct of the Hardin County Schools and the local school's policies.
6. The student must have made and continue to make satisfactory academic progress.
7. There will be no cost or service to the Board (e.g., transportation).



PERSONNEL

03.127  
(CONTINUED)

**Enrollment of Employee Child**

**REFERENCES:**

KRS 158.120  
KRS 157.350  
OAG 72-154

**RELATED POLICIES:**

09.11; 09.12  
09.124  
09.125

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS MISSING PROPERTY OR PROPERTY BEING USED FOR OTHER THAN SCHOOL OR DISTRICT BUSINESS. ALSO, IF YOUR DISTRICT ASSIGNS A DISTRICT-OWNED VEHICLE TO ONE OR MORE EMPLOYEES, PLEASE CONTACT YOUR KSBA CONSULTANT FOR SUGGESTED LANGUAGE TO REQUIRE ADHERENCE TO IRS GUIDELINES FOR THAT TAXABLE BENEFIT.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## PERSONNEL

03.1321

### - CERTIFIED PERSONNEL -

#### Use of School Property

##### RESPONSIBILITY

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

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

##### OUTSIDE WORK

An employee shall not use any District facility, electronic communication system, equipment or materials in performing outside work ~~unless otherwise approved by the Superintendent or Board~~. 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.

##### ~~RESPONSIBILITY~~

~~All personnel shall be responsible for the school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor.~~

##### USE OF BOARD-OWNED VEHICLES

With authorization of the Superintendent, the use of board-owned/leased vehicles shall be governed by the following guidelines:

- Vehicles shall be used only in the performance of assigned duties and job requirements;
- Vehicles shall not be used for commercial purposes; and
- Unless otherwise authorized by the Superintendent, vehicles shall not carry passengers other than Board employees.



**Use of School Property****USE OF BOARD-OWNED VEHICLES (CONTINUED)**

Employees assigned full-time use of board-owned vehicles shall be on call twenty-four (24) hours a day to perform services required by their job responsibilities. Except for commuting to and from work or an occasional minimal detour for personal reasons, employees shall not use board-owned/leased vehicles for personal use.

Use shall be authorized in compliance with state and federal guidelines including IRS requirements for reporting taxable income.

The Superintendent and/or the Director for Transportation shall be responsible for securing annual driving records from the Kentucky Department of Transportation for any employee who has occasion to drive any vehicle for transporting students. This annual records check shall be a condition of employment. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

**TOBACCO PRODUCTS**

The use of any tobacco product is prohibited in any board-owned vehicle, school buses and any building owned or operated by the Board.

**OTHER SUBSTANCES**

No Board-owned vehicle shall be driven by anyone under the influence of an intoxicant or any substance which may impair the safe operation of the vehicle. Any employee found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be suspended pending a termination hearing.<sup>1</sup>

**USE OF ASSIGNED TELECOMMUNICATION DEVICES**

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent or his/her designee. All District cell phones paid with District funds shall be approved and/or assigned by the Director of Finance for use by District personnel. These devices shall include, but are not limited to, pagers and digital or cell phones.

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

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

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

PERSONNEL

03.1321  
(CONTINUED)

**Use of School Property**

**REFERENCES:**

1702 KAR 5:080

KRS 160.290; KRS 189.292; ~~KRS 189.294~~; KRS 281A.205

**RELATED POLICIES:**

03.21; 03.27

06.221



LEGAL: IF THE DISTRICT OBTAINS MEDICAL INFORMATION FROM EMPLOYEES AS PART OF THEIR REQUEST FOR AN ACCOMMODATION UNDER SECTION 504 OF THE REHABILITATION ACT, THAT INFORMATION MUST BY LAW BE KEPT CONFIDENTIAL.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.212

- CLASSIFIED PERSONNEL -

### **Equal Employment Opportunity**

#### **NONDISCRIMINATION**

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

#### **INDIVIDUALS WITH DISABILITIES**

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

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act ~~of 1990~~ and Section 504 of the Rehabilitation Act of 1973.

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

#### **REASONABLE ACCOMMODATION**

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion. Medical information obtained as part of an employee request shall be confidential.<sup>3</sup>

Reasonable accommodation shall be provided as required by law.

#### **ADVISING EMPLOYEES**

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

PERSONNEL

03.212  
(CONTINUED)

**Equal Employment Opportunity**

**REFERENCES:**

<sup>1</sup>KRS 161.164

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

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

KRS 207.135

34 C.F.R. 104.3 - 104.14

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

Americans with Disabilities Act of 1990 (ADA)

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.233, 05.11





**Salaries****PAYROLL DISTRIBUTION (CONTINUED)**

The Board shall make all deferred salary payments on or before June 30 of the current fiscal year, and these deferred payments shall then be directly deposited at the regular pay periods in June, July and August, except that at the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**PAYROLL DEDUCTION**

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

**NUMBER OF HOURS**

No employee may work for more than forty (40) hours per week unless it has been cleared by the employee's supervisor(s) and the Finance/Personnel Offices. If an employee works in more than one area (e.g., instructional assistant and bus driver), the total amount of work time cannot exceed forty (40) hours per week unless approved by the Finance/Personnel Offices.

**TIME RECORDS**

All classified employees working in a non-exempt position must maintain accurate time records. Those time records may be in written form or by time clock. When reporting to work, the employee must not sign in or clock in until they begin the duties of the position. When leaving work at the end of a work day, the employee must sign out or clock out. All times entered must reflect the accurate time to the minute. Approximate times are not acceptable.

**OVERTIME**

Overtime work shall be approved in advance by the Superintendent or designee.

Employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by the Fair Labor Standards Act for overtime work. Employees required to work in excess of forty (40) hours per week on days when schools and offices are closed as designated in Board policy 03.222 shall be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by the Fair Labor Standards Act for overtime work. Twelve-month classified employees required to work on holidays as designated in Board policy 03.222 shall be paid double time.

Employees who are required to work in excess of their regularly scheduled number of hours short of overtime (40 hours per week) shall be compensated for the extra hours at their scheduled straight-time hourly rate.

**EXTRA SERVICE**

Classified personnel may receive extra-service pay for duties connected with handling and accounting for funds at activities scheduled outside the regular school day, provided the rate of pay does not exceed the hourly rate approved by the Board for their regular assignments. Any payment made to an employee must be processed through the payroll process.

**Exception**

A compensation error/adjustment that needs to be corrected will be adjusted within the fiscal year that the discovery of such is made. Errors identified in previous fiscal years may be corrected if the employee had submitted the necessary paperwork within three (3) months of start date.



**Salaries****EXTENDED EMPLOYMENT**

The Principal/Supervisor shall work with the employee to establish an extended employment work plan. The plan shall be filed annually with Human Resources.

Employees whose positions include 1– 45 extended days must work the days and submit documentation to Human Resources by June 23 unless an exception is designated on the extended employment work plan that is approved by the Principal/Supervisor.

All employees who are requesting to be paid all salary owed prior to the end of the fiscal year, as provided in KRS 160.291, must work all extended days and submit documentation to Human Resources by June 23.

Sick and/or personal leave cannot be used for an extended day unless the day is designated on the extended employment work plan that is submitted to Human Resources.

Extended employment days may be worked only in whole- or half-day increments. Extended employment days cannot be worked on a Saturday or Sunday. A rare exception may be granted if approval is made in advance by the employee's Immediate Supervisor and Human Resources.

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

**CLASSIFIED SUBSTITUTES**

Classified substitutes will be paid at Step A of the level of the position for which they are substituting.

**WORK EXPERIENCE CREDIT**

A full-time employee will receive credit for one (1) year of experience each year s/he works one hundred forty (140) days or more between July 1 and June 30.

**RETIRED RE-EMPLOYMENT**

Employees who retire and return to work in the District shall be paid at "step A" of the level of the position for which they are hired.

**REFERENCES:**

KRS 78.615; KRS 160.291; KRS 161.011  
KRS 337.285; KRS 424.120; KRS 424.220  
803 KAR 1:060; 803 KAR 1:070  
Fair Labor Standards Act  
Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005 (1985)

**RELATED POLICY:**

03.2211

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

LEGAL: AMENDED FEDERAL FAMILY AND MEDICAL LEAVE REGULATIONS WENT INTO EFFECT IN MARCH CONCERNING MILITARY CAREGIVER LEAVE AND QUALIFYING EXIGENCY REQUESTS. IN ADDITION, THE FAMILY AND MEDICAL LEAVE ACT PROHIBITS AN EMPLOYEE'S DIRECT SUPERVISOR FROM CONTACTING THE EMPLOYEE'S HEALTH CARE PROVIDER FOR INFORMATION CONCERNING A CERTIFICATION IN SUPPORT OF A REQUEST FOR FAMILY AND MEDICAL LEAVE. 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 covered active duty or call to active duty involving deployment to a foreign county of a covered family member the employee's (spouse, son, daughter, or parent) who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered family service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated an serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties of his/her office, grade, rank or rating or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

#### **NOTICES AND DEADLINES**

- a. 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 but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

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

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



**Family and Medical Leave****NOTICES AND DEADLINES (CONTINUED)**

- b. 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.

**ELIGIBILITY**

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

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**

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/veteran.

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

PERSONNEL

03.22322  
(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**

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



accept w/ modifications

RECOMMENDED: SEVERAL SUGGESTIONS REFLECT SUGGESTED PRACTICES FROM THE KENTUCKY STATE AUDITOR (FOCUS ON NECESSARY AND ACTUAL EXPENSES, DOCUMENTING FUNDING SOURCE FOR TRIP EXPENSES, AND PROPER DOCUMENTATION FOR REIMBURSEMENT). THIS CHANGE IS NOT REQUIRED BY LAW  
LEGAL: ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES THAT TRAVEL VOUCHERS BE SUBMITTED WITHIN ONE (1) WEEK OF THE TRAVEL.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.225

- CLASSIFIED PERSONNEL -

### Expense Reimbursement for Travel

The Board/School shall reimburse school personnel, within budgeted guidelines, for necessary and appropriate 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/Immediate Supervisor and the School Council when appropriate. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. Travel expenses for guests of employees shall not be reimbursed.

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

The Board/School will be responsible only for actual expenses.

#### REIMBURSEMENT

~~Travel vouchers shall be submitted within one (1) week of the travel.~~ No requests for travel reimbursement will be considered unless filed and approved on the proper form and accompanied by the proper itemized supporting documentation.

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

Receipts are required for all reimbursements.

Travel reimbursement requests and supporting documents must be approved by the Immediate Supervisor of the School/Department and/or Project Director of the funding source. All requests with required signatures and supporting documentation must be in the Finance/Accounts Payable Office by the deadline designated each month by the Finance Department in order to be paid at the next scheduled Board meeting.

~~Requests for travel reimbursements should be filed within sixty (60) days with the exception that June travel for the preceding fiscal year must be filed for reimbursement by July 10 of the new fiscal year.~~

Allowable expenses are:

#### MILEAGE

In-District travel between the employee's official work station and the destination will be reimbursed at the state rate. Mileage commuting between the employee's home and official work station shall not be paid. The District Mileage Chart will be used to calculate mileage between the Central Office and schools and/or school to school.

**Expense Reimbursement for Travel****MILEAGE (CONTINUED)**

Travel outside the District requires prior approval by the Superintendent/Immediate Supervisor and the Council in SBDM schools. Mileage will be calculated between the employee's official work station or home, whichever is the lesser, and reimbursed at the state rate.

Mileage for in-state travel shall be based on an official Kentucky mileage map. An explanation should accompany any variance in excess of ten (10) miles per round-trip. Mileage for out-of-state travel shall be based on the most recent edition of a Rand McNally or AAA Road Atlas.

**GASOLINE**

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Receipts are required.

**PARKING FEES/TOLLS**

All parking fees and tolls incurred in school-related travel and approved on the out-of-District travel request form. Receipts are required. (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/Immediate Supervisor and the Council in SBDM schools. Receipts are required.

**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. Receipts are required.

**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.

**FOOD**

The number of meals allowed will be determined by the dates and times of the meeting as approved on the out-of-District travel request form. Documentation such as an agenda is required to support breakfast and dinner meals that do not fall within authorized travel times. Meals will not be reimbursed for day trips when an overnight stay is not approved.

Per-diem allowance for meals (receipts required) when an overnight stay is approved will be reimbursed to the employee based on the current state-approved rates for "standard" and "high rate" areas. ~~Effective 8/1/02~~ Rates as of 02/12/02 are as follows:

REIMBURSEMENT FOR NON HIGH-RATE AREAS		
Breakfast	Authorized travel prior to 6:30 A.M.	\$7.00
Lunch	Authorized travel 11 A.M. -2 P.M.	\$8.00
Dinner	Authorized travel after 7:30 P.M.	\$15.00



**Expense Reimbursement for Travel****FOOD (CONTINUED)**

REIMBURSEMENT FOR HIGH-RATE AREAS*		
Breakfast	Authorized travel prior to 6:30 A.M.	\$8.00
Lunch	Authorized travel 11 A.M. -2 P.M.	\$9.00
Dinner	Authorized travel after 7:30 P.M.	\$19.00

\* "High-rate area" means a city or metropolitan area in which it has been recognized that higher meal costs and lodging rates have historically prevailed and that has been designated by the Secretary of the Finance and Administration Cabinet as a high-rate area. The Cabinet's policies and procedures manual contains a list of "high-rate areas." A list of "high-rate areas" accompanies this policy.

Special meal functions are to be claimed as part of registration fees must be supported by an agenda or supporting documentation.

Meals and mileage will not be reimbursed for District-sponsored meetings within the District.

**LODGING**

Reimbursement for hotel or motel charges incurred in school-related travel shall be reimbursed for a conference that is of a two (2)-day or more duration. Overnight lodging will not be approved for meetings of 50 miles or fewer from the Board Central Office (unless evening activities are scheduled). Lodging shall not exceed the cost of a single-room rate unless approved by the Immediate Supervisor, the Superintendent, the Board, or the SBDM Council when appropriate. Personal proof of payment is required.

**REGISTRATION FEES**

Fees for attendance or admission to conferences or other events provided by sponsors of authorized meetings. Personal proof of payment is required.

**OUT-OF-POCKET EXPENSES**

Out-of-pocket expenses for teaching materials, postage for Board/School mail, or similar items. Receipts are required.

Kentucky sales tax will not be reimbursed.

**EMERGENCY REPAIRS TO VEHICLES**

Reimbursement will be made for emergency repairs or to 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



LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 157.350 TO ALLOW DISTRICTS ENROLLING CHILDREN OF NONRESIDENT EMPLOYEES TO RECEIVE ADA FUNDS. THE REVISED STATUTE ALLOWS THE DISTRICT TO RECEIVE ADA FOR THE EMPLOYEE'S CHILD, WITHOUT THE NECESSITY OF A RECIPROCAL WRITTEN AGREEMENT.

FINANCIAL IMPLICATIONS: THE DISTRICT SHOULD REVIEW RAMIFICATIONS OF THE AMENDED LAW IN REFERENCE TO EXISTING RECIPROCAL AGREEMENTS.

PERSONNEL

03.226

- CLASSIFIED PERSONNEL -

### **Enrollment of Employee Child**

Full time

Employees who live outside the District shall have the option of enrolling their children in any District school without a tuition charge, contingent on the District receiving ADA as provided by law~~provided their district of residence signs a contract with the Board.~~

Full-time employees who are residents of the District shall have the option of enrolling their children in any District school, as long as that school is below its 95% capacity. If the school is above 95% capacity, then the employee may apply in the school where they are working or its feeder school (for convenience) and provisions of procedure 9.11 AP.1 would prevail.

#### **PROVISIONS**

The above privileges are based on the following provisions:

1. Employees shall obtain approval from the Principal at each transition point (applications must be received before March 30th of the year prior to the request) from the school of choice. Employees who move into the Hardin County School District after the December deadline will be permitted to make an exception request.
2. It is to be understood by all employees that when District changes are made that cause inconvenience to the general public, the Superintendent may revoke these privileges when they lead to problems or misunderstandings.
3. Adequate space is available. If a school reaches class enrollment maximums on or before September 15, students granted District exceptions will be subject to the provisions of procedure 09.11 AP.1.
4. Written requests for preschool age children will be considered after September 15 when more accurate projections can be determined. This decision will be made by the Principal and Early Childhood Director. To continue in the school of choice, the employee must obtain approval from the Principal at each transition point.
5. The student must have met and continue to meet the guidelines of the Code of Conduct of the Hardin County Schools and the local schools' policies.
6. The student must have made and continue to make satisfactory academic progress.
7. There will be no cost or service to the Board (e.g., transportation).

PERSONNEL

03.226  
(CONTINUED)

**Enrollment of Employee Child**

**REFERENCES:**

KRS 158.120  
KRS 157.350  
OAG 72-154

**RELATED POLICIES:**

09.11; 09.12  
09.124  
09.125

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS MISSING PROPERTY OR PROPERTY BEING USED FOR OTHER THAN SCHOOL OR DISTRICT BUSINESS. ALSO, IF YOUR DISTRICT ASSIGNS A DISTRICT-OWNED VEHICLE TO ONE OR MORE EMPLOYEES, PLEASE CONTACT YOUR KSBA CONSULTANT FOR SUGGESTED LANGUAGE TO REQUIRE ADHERENCE TO IRS GUIDELINES FOR THAT TAXABLE BENEFIT.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2321

- CLASSIFIED PERSONNEL -

### Use of School Property

#### RESPONSIBILITY

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

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

#### OUTSIDE WORK

An employee shall not use any District facility, electronic communication system, equipment or materials in performing outside work ~~unless otherwise approved by the Superintendent or Board.~~ 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 BOARD-OWNED VEHICLES

With authorization of the Superintendent, the use of board-owned/leased vehicles shall be governed by the following guidelines:

- Vehicles shall be used only in the performance of assigned duties and job requirements;
- Vehicles shall not be used for commercial purposes; and
- Unless otherwise authorized by the Superintendent, vehicles shall not carry passengers other than Board employees.

Employees assigned full-time use of board-owned vehicles shall be on call twenty-four (24) hours a day to perform services required by their job responsibilities. Except for commuting to and from work or an occasional minimal detour for personal reasons, employees shall not use board-owned/leased vehicles for personal use.

Use shall be authorized in compliance with state and federal guidelines including IRS requirements for reporting taxable income.



**Use of School Property****USE OF BOARD-OWNED VEHICLES (CONTINUED)**

The Superintendent and/or the Director for Transportation shall be responsible for securing annual driving records from the Kentucky Department of Transportation for any employee who has occasion to drive any vehicle for transporting students. This annual records check shall be a condition of employment. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

**TOBACCO PRODUCTS**

The use of any tobacco product is prohibited in any board-owned vehicle, school buses and any building owned or operated by the Board.

**OTHER SUBSTANCES**

No Board-owned vehicle shall be driven by anyone under the influence of an intoxicant or any substance which may impair the safe operation of the vehicle. Any employee found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be suspended pending a termination hearing.

**OTHER PERSONNEL**

Employees, other than bus drivers, who have occasion to drive a Board-owned vehicle for transporting students, shall annually provide the Superintendent with a copy of their driving records 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 or his/her designee. All District cell phones paid with District funds shall be approved and/or assigned by the Director of Finance for use by District personnel. These devices shall include, but are not limited to, pagers and digital or cell phones.

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

4. Assignment of a device to an employee is a prudent use of District resources.
5. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
6. 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 and approved telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

**REFERENCE:**

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

RECOMMENDED: SEVERAL SUGGESTIONS REFLECT RECOMMENDATIONS FROM THE KENTUCKY STATE AUDITOR. IF YOUR DISTRICT HAS NOT AUTHORIZED SCHOOL OR DISTRICT CREDIT CARDS, PLEASE MARK THROUGH THAT SECTION, MARK "ADOPT WITH MODIFICATION" ON THE UPDATE CHECKLIST, AND RETURN A COPY OF THIS DRAFT TO KSBA WITH YOUR CHECKLIST. THIS CHANGE IS NOT REQUIRED BY LAW  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## FISCAL MANAGEMENT

04.31

### Authority to Encumber and Expend Funds

#### FINANCIAL STATEMENT

The daily administration of the budget shall be the responsibility of the Superintendent. The Superintendent shall provide the Board with a monthly financial statement ~~at each regular Board meeting~~. This shall include a report of receipts and disbursements by major budget category, the cash balance on hand, and the amount of invested funds at the end of the immediate preceding month.

#### EXPENDITURE OF FUNDS

Expenditures from any District fund shall be made in accordance with the budgets approved by the Board. All purchases shall require the prior approval of the Superintendent or the Superintendent's designee who is responsible for the expenditure of Board/program funds. The Board requires periodic monitoring of large purchases and expenses in the maintenance, operational, and food service areas.

#### AUTHORITY TO OBLIGATE

Administrators designated by the Superintendent may initiate a purchase order, subject to the limits of their designated budgeted funds and approval by their supervisor.

The Board shall not be responsible for expenditures not properly authorized and not made according to the purchasing procedures developed by the Superintendent.

#### REVIEW OF CREDIT CARD TRANSACTIONS

The Superintendent shall establish a process consistent with Board policy to regulate use of credit cards and credit card accounts. This process will include procedures for recovery of District funds for any unauthorized purchases.

Employees shall report immediately any District/school credit card that is lost. Personal purchases on District/school credit cards are prohibited. Unauthorized charges made by employees to District/school credit cards may result in disciplinary action.

#### BOARD APPROVAL REQUIRED

Prior Board approval shall be required in order for the District to participate in any cash management, bond issuance, tax revenue anticipation note, or other program involving commitment of District funds. The Board shall designate the fiscal agent and bond counsel.

Gift cards and prepaid cards must follow the guidelines for 702 KAR 3:310 for all board funds. These are disallowed expenditures

FISCAL MANAGEMENT

04.31  
(CONTINUED)

**Authority to Encumber and Expend Funds**

**REFERENCES:**

KRS 160.340; KRS 160.370  
KRS 160.390; KRS 160.470  
KRS 160.530; KRS 160.550  
702 KAR 3:050; 702 KAR 3:120  
702 KAR 3:246; 702 KAR 3:300  
School Council Allocation

**RELATED POLICIES:**

02.4242; 04.311; 04.3111



RECOMMENDED: SUGGESTION REFLECTS RECOMMENDATION FROM THE KENTUCKY STATE AUDITOR.  
THIS CHANGE IS NOT REQUIRED BY LAW  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.3111

### **District Issuance of Checks**

#### **AUTHORIZATION**

The treasurer shall prepare warrants or "orders of the Treasurer" to be acted upon at each regular Board meeting. Except for situations as defined below providing for subsequent Board approval, before checks are issued, the treasurer shall have received the approved warrant or "Orders," or approved equivalent properly executed, which shall include signatures of the chairperson and secretary of the Board.

The Board shall designate one (1) or more Board members to review bills before a meeting for items that may need clarification prior to presentation for final approval for payment.

#### **PAYMENT OF BILLS**

With the exception of recurring monthly payments such as utilities and fixed charges, no bill shall be paid without the following supportive information:

1. A purchase order signed by the Superintendent or the Superintendent's designee;
2. An invoice as to goods or services received; and
3. Confirmation that invoiced materials were received in accurate quantity and in good order; for example, by way of a signed standard invoice.

#### **BOARD MINUTES**

The original copy of warrants or "Orders" shall be maintained on file as part of the official Board minutes.

#### **APPROVAL**

The treasurer shall receive a signed warrant or "Orders of the Treasurer" as appropriate, or approved equivalent, properly executed, including signatures of the chairperson and secretary of the Board, before issuing checks.

#### **SUBSEQUENT APPROVAL**

The Board shall give subsequent approval to all budgeted disbursements made between meetings of the Board. Payments made between regular Board meetings shall be confined to the following:

1. contract salaries,
2. payments to take advantage of discounts,
3. payments made to prevent penalties and disruption of services, and
4. payments for approved purchases made in accordance with District policy and procedures to avoid invoices being more than thirty (30) days past due as of the date of the Board meeting.

#### **REFERENCES:**

KRS 160.290; KRS 160.340  
KRS 160.370; KRS 160.560  
OAG 79-321; 702 KAR 3:120  
Accounting Procedures for Kentucky School Activity Funds

LEGAL: REQUIREMENTS FOR BOOSTER CLUBS AND NUMEROUS SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WILL GO INTO EFFECT JULY 1, 2013.

FINANCIAL IMPLICATIONS: ADDITIONAL STAFF TIME TO MONITOR/DOCUMENT NEW REQUIREMENTS AND POSSIBLE LOSS OF REVENUE FROM ANY EXTERNAL ORGANIZATIONS UNABLE TO COMPLY.

FISCAL MANAGEMENT

04.312

### **School Activity Funds**

School activity funds may be expended for purposes which contribute generally to the benefit of the students, provided expenditures are consistent with requirements set out in Accounting Procedures for Kentucky School Activity Funds. Based on a schedule developed by the Superintendent, the Board shall review the status of school activity funds at least twice each fiscal year.

#### **UNIFORM ACCOUNTING**

All personnel shall comply with the uniform financial accounting system<sup>1</sup> and activity fund accounting procedures set out in Kentucky Administrative Regulation.<sup>2</sup>

#### **TWO SIGNATURES REQUIRED**

The Principal, or school councils in SBDM schools, shall be responsible for the manner in which accounts are kept and preserved. Two signatures shall be required on each check drawn against school activity funds, neither of which may be a signature stamp. The two (2) signatures shall be the manual signatures of the Principal/designee and the school treasurer.

#### **PURCHASE ORDERS**

Activity funds may only be expended as authorized in the Accounting Procedures for Kentucky School Activity Funds.

Activity fund purchases must be supported by a properly executed purchase request, billing invoice, standard invoice, and authorization for payment by the Principal.

Because no school activity fund is permitted to end the fiscal year with a deficit balance, the school shall not expend or commit to expend any activity fund in excess of total revenue received for the fiscal year. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present for Board approval a plan for reimbursement of any deficit amount.

#### **FINANCIAL REPORTS**

Each month the Principal shall provide the Superintendent/District Finance Officer with a financial report for activity fund accounts. On or before July 25, following the end of the fiscal year, the Principal shall submit to the Superintendent/District Finance Officer an annual financial report for those accounts.

#### **DEFINITION OF SCHOOL ACTIVITY FUNDS**

School activity funds refer to all school funds including funds derived from fund-raising activities sponsored under the auspices of the school. Funds raised or received by organizations that do not come under the direct supervision of school authorities shall not be considered activity funds.

#### **AUDIT OF FUNDS**

All school activity funds shall be audited annually by a certified public accountant. All audit reports shall be reviewed and appropriate action taken as required by Kentucky Administrative Regulation.<sup>1</sup>



**School Activity Funds****SUPPORT/BOOSTER CLUBS FUNDS**

Parent-teacher associations and booster club funds are subject to deposit and accounting procedures as school activity funds.<sup>3</sup> Each year the Principal shall ~~obtain~~ be provided the following from all support/booster club organizations as required by the state activity fund accounting procedures:

1. Within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group:
  - a. Names of club officers;
  - b. Federal tax exempt number; and
  - c. A copy of the annual budget within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group; and
2. An annual financial report by July 25-15 for the year ending June 30 reporting receipts, expenditures, and beginning and ending balances;<sup>1</sup> and
3. All other information required by Accounting Procedures for Kentucky School Activity Funds.

The Board authorizes the Superintendent and/or designee (Principal) to oversee and authorize booster operations of concessions at the school site.

All booster groups wishing to be recognized by and/or affiliated with the District shall comply with the following:

- Adhere to applicable state and federal laws, including taxable income reporting requirements, when conducting fund-raising activities to benefit the school or District; and
- Conduct fund-raising activities to benefit the entire group and not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

Proof of general liability insurance for external support/booster organizations must be submitted to the Principal prior to commencing any fund-raising activities.

Each year the Superintendent shall report to the Board when all booster organizations have been informed of requirements from the Accounting Procedures for Kentucky School Activity Funds that apply to them.

External support/booster organizations shall obtain prior Board approval to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

Although they may be general members, Board members and employees shall not serve as the treasurer or any other officer with check-signing authority on a bank account for an external support/booster organization. Employees may serve as a member of the executive board of an organization.

Formatted: ksba normal

Formatted: Numbered + Level: 1 +  
Numbering Style: 1, 2, 3, ... + Start at: 1 +  
Alignment: Left + Aligned at: 0.31" + Tab  
after: 0.56" + Indent at: 0.56", Tab stops:  
0.5", List tab + Not at 0.56"

Formatted: ksba normal

Formatted: No underline



**School Activity Funds**

**CONTRACTS SIGNED BY PRINCIPALS**

The Board shall, through policy, authorize the Principal to enter into the following types of contracts:

1. Fund-raising endeavors (i.e., picture sales, vending machine leases, T-shirt sales, etc.)
2. Lease/purchase of equipment such as copiers, service contracts, telephone systems.

Contracts other than those listed above shall be reviewed and approved by the Superintendent and/or the Finance Department (Associate Superintendent/Finance Director).

By entering into contracts in the manner set out above, it is the intent of the Board and the administrative staff that the Principal is signing as an agent of the Board and is not to be personally liable for any portion of the contract.

By entering into any contract, the Principal is advised to have the contract reviewed by the Finance Department. In addition, upon the execution of a contract, a copy of the contract shall be forwarded to the Finance Department to be placed on file.

**REFERENCES:**

<sup>1</sup>702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

<sup>2</sup>702 KAR 3:120

<sup>3</sup>OAG 79-556

KRS 139.497; KRS 156.070; KRS 158.290; KRS 160.290; KRS 160.340

**RELATED POLICIES:**

04.31211; 09.33

RECOMMENDED: SUGGESTION REFLECTS RECOMMENDATION FROM THE KENTUCKY STATE AUDITOR.

THIS CHANGE IS NOT REQUIRED BY LAW

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## FISCAL MANAGEMENT

04.41

### **Fraud Prevention**

All employees, Board members, consultants, vendors, contractors and other parties maintaining a business relationship with the District shall act with integrity and due diligence in matters involving District fiscal resources.

#### **DEFINITION**

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relation to District assets, including theft of funds, securities, supplies, or other District properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentiality safeguards concerning financial information.
- Violating Board conflict of interest policies.
- Mishandling financial records or District assets (destroying, removing, or misusing).

#### **STAFF RESPONSIBILITIES**

Employees who suspect that financial fraud, impropriety or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the Superintendent/designee who shall have the primary responsibility for initiating necessary investigations. If the Superintendent is an alleged party in the fraud complaint, provision shall be made for addressing the complaint to the Board chairperson.

Investigations shall be conducted in coordination with legal counsel and other internal or external departments and agencies as appropriate.

The Superintendent/designee shall inform employees with financial/accounting responsibilities of the following anti-fraud standards established by the Board:

1. The District shall operate in a culture of honesty and ethical behavior with employees doing all within their power to further that goal.
2. Employees shall comply with all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, as well as Board policy addressing fiscal matters.
3. Employees shall practice good stewardship of District financial resources, including timely reporting of fraudulent expenditures.
4. Employees with financial/accounting responsibilities shall support and follow sound business practices to the best of their ability and in keeping with their assigned responsibilities and job-related training by:

**Fraud Prevention****STAFF RESPONSIBILITIES (CONTINUED)**

- a. Maintaining and protecting District financial records;
- b. Performing one's job with the highest attention to detail to minimize and prevent error, falsification of accounting records, and omission of transactions;
- c. Reporting knowledge of fraud or suspected fraud, including intentional misstatements and omissions of amounts or disclosures;
- d. Guarding against misappropriation of assets;
- e. Refusing to reveal investment activities engaged in or contemplated by the District to unauthorized persons or agencies; and
- f. Resisting incentives, pressures, and negative attitudes that detract from performance of assigned responsibilities.

**INTERNAL CONTROLS/INVESTIGATIONS**

The Superintendent/designee shall be responsible for developing internal controls to aid in preventing and detecting fraud or financial impropriety or irregularity within the District. Reports of suspected fraudulent activities shall be investigated in a manner that protects the confidentiality of the parties and avoid unfounded accusations. Employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates occurrence of a fraudulent activity, the Superintendent/designee shall issue a report to appropriate personnel and to the Board of Education. Final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. Results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

**REFERENCES:**

Governmental Accounting Standards  
KRS 7.410; KRS 158.155  
725 KAR 1:030; KRS 171.420  
Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.61  
03.17/03.27  
03.1721/03.2721  
04.8; 04.81



**Rental Application and Contract****CONDITIONS OF RENTAL**

All rental of school facilities is subject to the following conditions:

1. An official application shall be made to the Principal.
2. Rentals will be made to responsible, organized groups and responsible officers of that group must sign the application and the contract.
3. Activities shall not restrict admission or participation on the basis of race, color, national origin, sex, or handicap.
4. Conditions of that contract shall include:
  - a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
  - b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
  - c. Agreement to observe all fire and safety regulations;
  - d. Agreement that the use of tobacco products shall not occur *only in privately owned vehicles* ~~within the building and~~ *that* The use of alcoholic beverages is prohibited in school buildings, ~~on school grounds~~ *for HCS vehicles*
  - e. Observance that no immoral or illegal activity shall be allowed on the premises;
  - f. The presence of a school supervisory or custodial personnel designated by the Principal at all times. The hourly wage of the custodian(s) must be included in the contract along with the social security and retirement payments required by law. If the custodian is employed beyond the normal 40-hour week that s/he works for the Board, overtime wages must be paid;
  - g. The presence of school nutrition personnel when kitchen facilities are used. The hourly wage of the school nutrition worker(s) must be included in the contract along with the social security and retirement payments required by law. If the school nutrition employee is employed beyond the normal 40-hour week that s/he works for the Board, overtime wages must be paid;
  - h. Agreement that no alterations to the buildings or grounds be made without prior approval;
  - i. Agreement that no permanent signs, banners, pennants or similar items be placed in or on school buildings or grounds except by groups associated with the schools;
  - j. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
  - k. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated;

**Rental Application and Contract**

- l. Agreement to leave the facilities in as good a condition as before used;
- m. When facilities are to be used for non-school activities and/or activities not for the benefit of the District, a certificate of general liability insurance naming the Board members, school employees and District as additional insureds shall be provided. Minimum single limit coverage \$1,000,000;
- n. Community/Youth Group/Organizations that contribute donations to any of the school programs that are of equal or greater value than the facility rental cost, have the option from the Principal of being exempt from the rental fee. This does not include the amount to be paid for custodial services if required due to clean up or if a school personnel is necessary to be present during the rental function; and
- o. The continual renting of school facilities by individuals or groups shall not extend beyond 6 month periods.

**REFERENCES:**

KRS 162.055; KRS 438.050; OAG 81-295  
P. L. 107-110 (No Child Left Behind Act of 2001)

**RELATED POLICY:**

10.3

Adopted/Amended: 06/17/2010  
Order #: 10097

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO REQUIRE EACH SCHOOL TO DEVELOP AN EMERGENCY PLAN.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

## SCHOOL FACILITIES

05.4

### **Building Safety**

#### **BOARD TO ADOPT PLAN**

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's Code of Acceptable Behavior and Discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

#### **SCHOOL EMERGENCY PLANNING**

##### **SAFETY PROGRAM**

~~The Principal/Designee shall serve as the Safety Program Director for the campus and, The school council or, if none exists, the Principal working in conjunction with the Safety Coordinator, shall adopt an emergency plan for the school that shall include procedures to be followed in cases of fire, severe weather, earthquake or a building lockdown as defined in KRS 158.164. A copy of the emergency plan, including a diagram of the facilities shall be given to first responders, including local fire, police, and emergency medical personnel. shall develop and implement a total campus safety program.~~

~~Following the end of each school year, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed.~~

~~School safety plans~~The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and shall document the date and time.

~~Whenever possible, first responders shall be invited to observe emergency response drills.~~

~~In addition, the school council or, if none exists, the Principal shall:~~

- ~~1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;~~
- ~~2. Identify severe weather safe zones and post the location of the safe zones in each room. These safe zones are to be reviewed by the local fire marshal or fire chief;~~
- ~~3. Develop school procedures to follow during an earthquake; and~~
- ~~4. Develop and adhere to practices to control access to the school.~~

~~No later than November 1 of each school year, the Superintendent shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.~~

#### **PRECAUTIONS**

Precautions will be taken for the safety of the students, employees, and visitors.

Formatted: Default Paragraph Font

Formatted: Numbered + Level: 1 +  
Numbering Style: 1, 2, 3, ... + Start at: 1 +  
Alignment: Left + Aligned at: 0.4" + Indent at:  
0.65", Font Alignment: Baseline

Formatted: Bullets and Numbering

Formatted: Space After: 6 pt

Formatted: Font: 12 pt



## SCHOOL FACILITIES

05.4  
(CONTINUED)

### Safety

#### **DEFIBRILLATORS**

The District may maintain an automatic external defibrillator (AED) in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with guidelines established by the Superintendent/designee. Expected users documented as having completed required training shall be authorized to use a defibrillator.

The District shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

Defibrillators shall be maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee. Defibrillators shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

#### **REPORTING HAZARDS**

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor and/or responsible person who shall cause the situation to be remedied or reported to the proper authority for remedy.

#### **COMMUNICATION SYSTEM**

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor, or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

#### **REFERENCES:**

| A New Section of KRS Chapter 158

KRS 158.148; KRS 158.445; KRS 160.290; KRS 160.445

KRS 311.667; KRS 411.148

#### **RELATED POLICIES:**

| 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47  
09.22; 09.221; 09.4 (entire section)

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO ESTABLISH NEW REQUIREMENTS FOR LOCKDOWN DRILLS AND PROCEDURES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

SCHOOL FACILITIES

05.411

### **Building Lockdowns**

#### **DEFINITION**

*Building lockdown* means to restrict the mobility of building occupants to maintain their safety and care.

#### **ANNUAL PRACTICES**

A building lockdown practice shall be implemented at least ~~one~~twice during each school year. At a minimum, lockdown drills are to be held during the first thirty (30) instructional days of the school year and in January. As directed by the Superintendent, the Principal or other building supervisor shall document that the practice has occurred.

Formatted: ksba normal

#### **PROCEDURE REQUIRED**

The school council or, if none exists, the Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, ~~parents, guardians,~~ certified staff, and classified staff.

Formatted: ksba normal

#### **REFERENCES:**

KRS 158.164

A New Section of KRS Chapter 158

#### **RELATED POLICY:**

05.4

Formatted: Default Paragraph Font



LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO ESTABLISH NEW REQUIREMENTS FOR SEVERE WEATHER DRILLS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

## SCHOOL FACILITIES

05.42

### Severe Weather/Tornado Drills

#### PROCEDURE SYSTEM

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established to include, but not be limited to, the following components:

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of a safe zones area for each facility that have been reviewed by local fire marshal or fire chief as part of the school emergency planning process and posted in each room of the school;
3. Protective measures to be taken before, during, and following a severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

#### TIMES FOR DRILLS

Severe weather/Tornado and safe area evacuation drills are to be held during the first full month thirty (30) instructional days of the school year and in February/January. Designated safety areas school primary and secondary evacuation routes and the route thereto are to be posted in all classrooms and other areas where students assemble by any doorway used for evacuation.

#### IMPLEMENTATION

The Principal is responsible for implementing this policy.

#### REFERENCES:

A New Section of KRS Chapter 158  
KRS 158.163

#### RELATED POLICY:

05.4



LEGAL: KRS 527.070 (3) REFLECTS THAT POLICE AND PEACE OFFICERS ARE EXCEPTED FROM THE GENERAL BAN ON WEAPONS ON SCHOOL GROUNDS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## SCHOOL FACILITIES

05.48

### Weapons

This policy applies to students, staff members, and visitors to the school.

#### **WEAPONS PROHIBITED**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.<sup>3</sup>

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. 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 firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

#### **Exceptions:**

- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, are authorized to bring weapons onto school property in performance of their duties.

#### **FEDERAL REQUIREMENTS REGARDING STUDENTS**

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device<sup>4</sup> to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.<sup>2</sup>

Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun-Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.<sup>1</sup>

#### **STATE POSTING REQUIREMENTS**

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

**Weapons****STATE POSTING REQUIREMENTS (CONTINUED)**

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.<sup>1,2</sup>

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

**STATE REPORTING REQUIREMENTS**

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 carrying, possession, or use of a deadly weapon 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.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

**ENFORCEMENT**

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

**REFERENCES:**

<sup>1</sup>KRS 527.0720; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)  
18 U.S.C. §921(a)

<sup>2</sup>~~KRS 527.070; KRS 500.080~~

<sup>3</sup>~~KRS 237.106~~

~~KRS 158.150; KRS 158.154~~

KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790

KRS 237.106; KRS 237.110; KRS 500.080

KRS 508.075; KRS 508.078; KRS 527.020

Individuals with Disabilities Education Improvement Act (IDEA)  
Section 504 of the Rehabilitation Act of 1973, as amended

SCHOOL FACILITIES

05.48  
(CONTINUED)

**Weapons**

**RELATED POLICIES:**

09.435; 09.436; 09.4361