

09-May-13

KSBA Policy Service 2013 Policy Update (#36) Checklist

District: Spencer County Schools

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

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.111	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.61	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.821	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.131	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.4241	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.442	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.113	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.121	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.12322	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.125	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.127	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.1321	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.212	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.221	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.22322	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.225	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
03.226	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2321	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.31	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.3111	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.312	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.41	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.411	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.42	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.48	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.113	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.111	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.12	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.121	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.122	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.14	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.15	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.22	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.2241	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.31	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
09.33	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
09.425	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
09.4341	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
09.1212	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

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

 Superintendent's Signature

 Date

 Board Chair's Signature

 Date

**Please return this completed form to KSBA at your earliest opportunity.
 Please contact your KSBA Consultant IF you need KSBA to completely reprint all policy pages or
 to order additional new manuals, instead of just getting copies of the updated policies.**

Add: Policy for Food and Refreshments

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 Spencer 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.¹

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:

- ¹KRS 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/designee and approved by the Board to develop, monitor, and annually update a District Plan (DP) as stated herein. The committee shall include teachers, Principals, council members, Central Office administrators, Board member(s), classified staff, parents, community representatives and high school students.

The Superintendent/designee shall develop, and present to the Board for review, procedures for appointment and training of the planning committee. The Superintendent shall make the procedures known to the community and school personnel.

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.¹

PLANNING CYCLE

The District's planning cycle shall run from January 1-December 31.

PLAN REQUIREMENTS

The primary purposes of the District 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.

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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.~~

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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/designee shall present to the Board for review and approval the form and function of the District planning process, 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.

District Planning

PLAN REQUIREMENTS (CONTINUED)

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.²

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.

BOARD APPROVAL

The plan shall be presented to the Board for approval by February 28. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of No Child Left Behind and KRS 158.649. All recommendations for revisions require approval by the Board.

~~The Principal of each school shall sign the assurance certification required as part of the plan application, prior to the Superintendent and Board Chair signing the certification.~~

The Superintendent shall submit required assurances to the Kentucky Department of Education via e-mail no later than July 1 of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan for at least five (5) years and, consistent with the District's planning cycle, post the current plan on the District's web site.

The plan shall serve as a resource for Board decision making.

SCHOOL PLANS

The District plan shall be broad enough to allow each school to develop its own plan, within the goals and objectives of the District.

REFERENCES:

¹KRS 156.500

²KRS 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.¹

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.² 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.³

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.⁴

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.⁵

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

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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.⁶

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

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REFERENCES:

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¹725 KAR 1:010

²KRS 171.710

³KRS 171.720

⁴725 KAR 1:030; KRS 171.420; KRS 171.570

⁵KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020

⁶KRS 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 calendar 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 calendar 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, employee benefit plans, 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 rates and allowable time frames as that for employees of the District and be documented by receipts. 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.¹

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:

¹KRS 160.350

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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 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.

School Council Policies (SBDM)

ADOPTION OF POLICY (CONTINUED)

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158. . . .;

9.10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

~~10.11.~~ Commitment to a parent involvement process that provides for:

- a. Establishing an open, parent-friendly environment;
- b. Increasing parental participation;
- c. Improving two-way communication between school and home, including what their child will be expected to learn; and
- d. Developing parental outreach programs.

~~11.12.~~ 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.

~~12.13.~~ 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.

OTHER POLICIES

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

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School Council Policies (SBDM)**REVIEW OF POLICIES**

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

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

COMPLIANCE WITH BOARD POLICY

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

WAIVER OF STATE REGULATIONS

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

SCHOOLS OF INNOVATION

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

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.

ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

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; 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

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

ADMINISTRATION

02.442

School Improvement Plan

RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, monitor, and annually update a Comprehensive School Improvement Plan (CSIP) by the May Board meeting.

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process.

The primary purposes of the SIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments; and
- To eliminate achievement gaps among groups of students.

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FORM

Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use any improvement plan format that has been established and approved by the Board. The CSIP structure shall include, at a minimum, the following components set out in 703 KAR 5:225 and the elements required by KRS 158.649.:

- ~~a mission statement;~~
- ~~short and long term goals and objectives;~~
- ~~a comprehensive needs assessment process, as required by Board policy;~~
- ~~established gap targets;~~
- ~~plan to achieve the objectives;~~
- ~~strategies and activities along with supporting budgetary information; and~~
- ~~a method of evaluating the accomplishment of the plan that includes implementation and impact checks on completion of CSIP activities and achievement of plan goals and objectives.~~

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In addition, the school council, or school planning committee appointed by the Principal if there is no council, shall review annually the school's disaggregated student data and revise the school's comprehensive improvement plan, as required by applicable statute and regulation, to address any achievement gaps between various groups of students.

The plan shall also address the reduction of physical and mental health barriers to learning, student equity, District safety and student discipline assessments, and District goals established by the Board.

The school plan shall serve as a resource for school/council decision making and shall be posted to the school's web site.

School Improvement Plan

BOARD REVIEW

The school's plan for eliminating achievement gaps among various groups of students shall be presented to the Board for its review and comment. The Board may share its comments, in writing, with the council.

In keeping with Board Policy 02.44, each school council shall annually report to the Board regarding the progress toward achieving the goals and desired outcomes and meeting the needs identified in the improvement plan, including those for student groups for whom data indicate an achievement gap exists.

REFERENCES:

KRS 158.645
KRS 158.6451
KRS 158.649
KRS 158.650
KRS 160.290
KRS 160.345
703 KAR 5:225

RELATED POLICIES:

01.111, 02.432, 02.44

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, age or disabling condition.¹

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.²

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 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.³

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.¹

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Equal Employment Opportunity

REFERENCES:

- ¹KRS 161.164
- ²29 U.S.C.A. 794
- ³29 U.S.C. section 1630.14
- KRS 207.135
- 34 C.F.R. 104.3 - 104.14
- 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344
- 42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)
- Americans with Disabilities Act 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

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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, at minimum, for the number of working days required by law.

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

EXTENDED EMPLOYMENT

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

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

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

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The Board shall annually establish a schedule of compensation for extra services, hazardous duty supplements and supervision. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2000 for the life of the certificate. **Teachers must be teaching in the subject and age range of their NBPTS certification for fifty percent (50%) or more of their time to receive the supplement.**

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RANK AND EXPERIENCE

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

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

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

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

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

Salaries

MILITARY EXPERIENCE

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

EXCEPTION

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

PAYROLL DISTRIBUTION

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

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

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

QUALIFICATIONS

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

NOTICE OF SALARY

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

LIST OF SALARIES

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.2120 to publish advertisements for the District.

PAYROLL DEDUCTIONS

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

PERSONNEL

03.121
(CONTINUED)

Salaries

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
702 KAR 3:060; 702 KAR 3:070
702 KAR 3:100; 702 KAR 3:310
16 KAR 1:040; OAG 97-25
29 C.F.R. Section 541.303, 29 C.F. R. section 541.602.29, C.F.R. section 541.710

RELATED POLICIES:

03.114, 03.1211, 03.4

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~~ service family 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

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

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

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.

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

- 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

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

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

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

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

Family and Medical Leave

RESTRICTIONS (CONTINUED)

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

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

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

INTERMITTENT LEAVE/REDUCED HOURS

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

CONTINUATION OF BENEFITS

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

RETURN TO WORK

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

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

NOTICE

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

REFERENCES:

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

RELATED POLICIES:

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

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

DRAFT (07/10/13)

PERSONNEL

03.125

-CERTIFIED PERSONNEL-

Expense Reimbursement

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

REIMBURSEMENT FORM

Travel vouchers shall be submitted within one (1) week of the travel. No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by ~~the~~ proper itemized receipts. Receipts shall be required for all expenditures except for meals which are paid on a per diem basis. A receipt must show the date of service, the amount charged for the service, the location where the service was provided and a description of the expenditure.

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.

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

MILEAGE

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

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

GASOLINE

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

TOLLS AND FEES

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

Expense Reimbursement

CAR RENTAL

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

COMMON CARRIERS

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

OUT-OF-STATE TRAVEL

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

LODGING

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

Cost of lodging within ~~forty-sixty~~ (4060) miles of the employee's work site or home shall be reimbursed if approved in advance by the employee's immediate supervisor or the Superintendent.

FOOD MEALS AND INCIDENTALS

Actual monies spent for ~~food meals~~ while on out-of-District trips shall be reimbursed at the per-diem amount established by the Board. Allowable expenses shall be reasonable and necessary as determined by the Superintendent. ~~The total allotted for meals shall be \$35 with per diem rates as follows: The per diem rates include: basic cost of meal, sales tax, customary tip/gratuity and incidentals. The total per diem rate for meals and incidentals shall be the federal standard meal rate of \$46 per day, broken down as follows:~~

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Breakfast	\$ 79.00
Lunch	\$1014.00
Dinner	\$1823.00

IRC 162 (a) (2) allows reimbursement for meals when an overnight stay occurs. There will be no reimbursement for meals for a one (1)-day workshop without an overnight stay. ~~The meals per diem shall not be reimbursed when the meal is included in the price of lodging or included in a registration fee. Meals shall not be reimbursed when attending a function where the meal is served, regardless of whether or not it was included in the registration fee, except when medical conditions require special dietary constraints.~~

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Expense Reimbursement

CELL PHONE ALLOWANCE AND RESPONSIBILITIES

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Employees whose job duties include the frequent need for a cell phone may receive an allowance to compensate for business-related costs incurred when using their individually-owned cell phones if deemed appropriate by the Superintendent.

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The amount of the allowance shall be determined based on the employee's position and the minutes or data needed for the employee to perform his/her job responsibilities. Lead administrators and/or department heads may receive a maximum allowance of \$50 per month. All other authorized employees may receive a maximum allowance of \$30 per month.

Supporting documentation must be submitted monthly to receive the allowance. In no case may the allowance exceed the actual expense incurred by the employee for maintaining their provider service. If an employee has a group or family plan and the basic amount cannot be easily segregated, the basic plan available from that carrier should be documented to support the cell phone allowance.

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Cell phones covered by this policy are used in part to conduct District business. As a result, information contained on devices covered by this policy are also subject to Federal and State data maintenance and protection laws (e.g. FERPA, records retention requirements), as well as all District policies, including those pertaining to data security, acceptable computing use, and email. An employee receiving a District cell phone allowance shall comply with Federal, State and District requirements, and assist the District in providing access to information about or contained on the cell phone covered by this policy in response to requests for such data or information by third parties as required by Federal and/or State law.

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Any cell phone that has data capabilities shall be secured based on current security standards including password protection and encryption. If a cell phone with data capabilities is stolen or missing, it shall be reported to the employee's supervisor and the wireless device service provider as soon as possible.

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EMERGENCY REPAIRS TO VEHICLES

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

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 Children

EMPLOYEES' CHILDREN RESIDING OUTSIDE THE DISTRICT

Upon written request of the parent/guardian, students whose parent/guardian resides outside of the District and whose parent/guardian is a full-time employee of the District may be admitted with permission of the Superintendent/designee. Attendance shall be declined if enrollment meets or exceeds the maximum class size. The tuition for these students shall be waived, contingent on the District receiving ADA as provided by law provided their district of residence signs a contract to transfer the ADA to the Board. Out-of-state residents are responsible for payment of an amount equal to the SEEK allocation.

EMPLOYEES' CHILDREN RESIDING INSIDE THE DISTRICT

Students living within the District shall not be permitted to enroll in a school outside their geographic attendance zone/area if the class in which they would enroll meets or exceeds the maximum class size. The parent/guardian must provide transportation. If these students are enrolled in a class whose membership increases to exceed the maximum class size within the first two (2) weeks of the school year, they shall be reassigned according to the following options:

- Student to be reassigned immediately to another class/school.
- Student to be reassigned to the school that serves his/her attendance zone.

When other factors are equal, date of enrollment shall determine order of assignment and reassignment.

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

DRAFT (07/10/13)

PERSONNEL

03.1321

- CERTIFIED PERSONNEL -

Use of School Property

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

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

OUTSIDE WORK

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

ELECTRONIC COMMUNICATIONS

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

USE OF VEHICLES

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

Board owned vehicles shall be used for authorized District business purposes only. The District requires employees to comply with all applicable local and state laws while driving.

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

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DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall provide the Superintendent upon request with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students. Employees shall have a current valid driver's license and proof of insurance on file at the Central Office before they may drive a Board-owned vehicle and/or transport students.

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Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES**

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

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.
4. The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours.

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

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

REFERENCES:

KRS 160.290

KRS 189.292, ~~KRS 189.294~~

KRS 281A.205

702 KAR 5:080

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, age, or disabling condition.¹

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.²

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.³

Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.¹

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Equal Employment Opportunity

REFERENCES:

¹KRS 161.164

²29 U.S.C.A. 794.

³29 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:

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RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT POLICY SHOULD ADDRESS HOW EXPERIENCE CREDIT WILL BE GRANTED TO NEW OR TRANSFERRING CLASSIFIED EMPLOYEES.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT (07/10/13)

PERSONNEL

03.221

- CLASSIFIED PERSONNEL -

Salaries

HOURLY OR SALARY BASIS

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

WORK DAY/WORK WEEK

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

QUALIFICATIONS

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

DETERMINATION OF EXPERIENCE

Upon initial employment or transfer of a classified employee, the Superintendent shall determine experience credit to be granted from any previous employment consistent with applicable salary schedules adopted by the Board and, in the absence of the issue being addressed in such schedules, experience credit shall be determined as follows:

1. Previous experience in the District.

Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District, if there is no break in employment.

2. Previous experience in an equivalent position in another school district.

Years of experience in an equivalent position may be transferred from another school district.

4.3. Previous private sector experience in a job of a similar nature.

In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being similar. The maximum number of years for experience credit that can be granted upon initial employment when transferring from another school district or for private sector experience is five (5) years.

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MILITARY EXPERIENCE

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