

- CERTIFIED PERSONNEL -

Certified Personnel

DEFINITION

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

BARGAINED CONTRACTS

Personnel provisions of contracts negotiated between the Board and local employee associations recognized by the Board shall be followed.

REFERENCES:

- ¹[KRS 161.720](#) (1)
- [KRS 161.020](#)
- [KRS 161.030](#)

RELATED POLICIES:

See Chapter 11

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Hiring**

~~It is the goal of the Jefferson County Public School District to employ qualified personnel for all positions to establish fair and equitable procedures for transfers and promotions within the system; and to provide, to the extent possible, working conditions and resources to enable each employee to perform to the greatest potential within the employee's assigned position.~~

SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following ~~thesuch~~ actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. ~~Applicants for positions shall be employed by the sSuperintendent subject to the notification of the bBoard of education.~~

The sSuperintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

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

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

~~The sSuperintendent shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.~~

EFFECTIVE DATE

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

QUALIFICATIONS

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

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

~~All t~~Teachers of core academic subjects shall be "highly qualified," as defined by state and federal regulation.³

Hiring

PRE-EMPLOYMENT INQUIRIES

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations, where applicable. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be kept in strict confidence confidential as to the extent permitted by law, but shall be considered in determining employment status.

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.¹

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

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

~~Applicants convicted of or pleading guilty to sexual or drug offenses or any felony offense shall not be employed. Any costs of requesting and obtaining records checks will be paid by the applicant.~~

~~Sexual offenses include a violation or attempted violation of Rape (1st, 2nd and 3rd degree), Sodomy (1st, 2nd, 3rd and 4th degree), Sexual Abuse (1st, 2nd and 3rd degree), Sexual Misconduct, Indecent Exposure, Prostitution, Promoting Prostitution (1st, 2nd and 3rd degree), Incest, Use of a Minor in a Sexual Performance, Promoting a Sexual Performance by a Minor, Promoting Sale of Material Portraying a Sexual Performance by a Minor, Advertising Material Portraying a Sexual Performance by a Minor, Using Minors to Distribute Material Portraying a Sexual Performance by a Minor, and such other sex crimes as defined by Kentucky Revised Statutes 17.160 and 17.165.~~

~~Drug offenses include a violation of Unlawful Trafficking and/or Unlawful Possession of Narcotics and Non-narcotics included in the Kentucky Controlled Substances Act, Kentucky Revised Statutes Chapter 218A and Kentucky Administrative Regulations, Title 902.~~

Hiring

VACANCIES POSTED~~JOB REGISTER~~

A job register listing vacancies to be filled shall be posted on the ~~d~~District's website, ~~and shall be available in hard copy as needed. The job register shall list all current staff vacancies as they occur and shall include qualifications for the position, a description of job duties, and d~~District employment policies.

VACANCIES POSTED

~~Employment openings shall be posted in each school building on a timely basis with reference to the central office job register for additional information.~~ Vacancies may also be posted and advertised outside the District. All central office administrative positions and all principal positions shall be advertised nationally.

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

REVIEW OF APPLICATIONS

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

References are required on applicants for all positions ~~which and~~ will be carefully reviewed as a part of ~~making the decision to employ or re-employ the employment decision.~~

RELATIONSHIPS

All applications shall require a response concerning the relationship ~~(as defined in KRS 160.180 and KRS 160.380)~~ of each applicant to the ~~s~~Superintendent, other ~~d~~District employees, ~~or a b~~Board member, ~~or other elected public official.~~ The hiring of relatives of the ~~s~~Superintendent, ~~b~~Board members and principals of ~~the Jefferson County Public School the~~ District is subject to the restrictions provided in KRS 160.180 and KRS 160.380.

The Superintendent shall not employ a relative of a ~~member of the Board~~ member as defined in KRS 160.380 unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.

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

No employee may use his/her employment status to influence the employment in the ~~Jefferson County Public School~~ District of a relative which is defined as the employee's father, mother, brother, sister, husband, wife, son, daughter, grandparent, aunt, uncle, niece, nephew, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, or brother-in-law. ~~Employees shall not be assigned to a school, office, or unit where an employee must be directly or indirectly supervised or evaluated by a relative. If such a situation occurs, or may potentially occur through hire, transfer, marriage or other arrangement, the employee(s) shall notify the Human Resources Department. The Superintendent shall make a final determination as to the appropriate action to be taken.~~

~~The sSuperintendent shall develop procedures to implement this policy for all personnel assignments.~~

~~Any violation of this policy nepotism provision shall result in disciplinary action.~~

Hiring

RELATIONSHIPS (CONTINUED)

No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of such employee to be a supervisor of such employee. For purposes of this policy, a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. This policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this policy.

CONTRACT

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

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

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

JOB SHARING

~~Jefferson County Public School~~-District employees may be permitted to participate in a job sharing program in accordance with procedures established by the ~~s~~Superintendent. However, ~~i~~nitial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job sharing program.

EXCHANGE OF TEACHERS

The ~~s~~Superintendent may approve the exchange of teachers with other countries, states, and programs outside the ~~Jefferson County Public School~~-District. All arrangements for such exchanges shall adhere to state laws and regulations.

REFERENCES:

PERSONNEL

03.11

- CERTIFIED PERSONNEL -

(CONTINUED)

Hiring

¹[KRS 160.380](#)

²[KRS 161.605; 702 KAR 001:150](#)

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

34 CFR 200.55-200.56; [KRS 17.160](#), [KRS 17.165](#)

[KRS 156.106](#); [KRS 160.345](#); [KRS 160.390](#); [KRS 161.042](#); [KRS 161.611](#)

[KRS 161.750](#), [KRS 335B.020](#), [KRS 405.435](#), [704 KAR 007:130](#)

[OAG 73-333](#), [OAG 91-10](#), [OAG 91-149](#), [OAG 91-206](#)

[OAG 92-1](#); [OAG 92-59](#), [OAG 92-78](#), [OAG 92-131](#), [OAG 97-6](#)

[Records Retention/Public School District Schedule](#)

RELATED POLICIES:

01.11

02.4244

03.132

Adopted/Amended: 01/01/1900

Order #:

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

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

REPORT

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

TUBERCULOSIS SCREENING/TESTING

~~Each employee of the Jefferson County Public School District shall be required to have a TB examination upon initial employment.~~

Each medical examination shall include a risk assessment for tuberculosis as required by Kentucky Administrative Regulation. Evidence of such tests shall be kept on file. Individuals identified by that assessment as being high risk for TB shall be required to undergo a tuberculin skin test as required by ~~704 KAR 004:0207~~ **KAR 1:160**. A person who tests positive for TB shall be required to comply with the directives of the local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the tuberculosis infection.^{1&2}

~~The dDistrict may require an employee to submit to additional medical examinations.~~

PRESENT PERSONNEL

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

The Board shall bear the cost of this examination.¹

SCHOOL TO REPORT

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

Medical Examination

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

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

REFERENCES:

²[704 KAR 004:020, 902 KAR 002:020](#)
[OAG 65-560](#)

Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

¹03.1234, 03.14, 03.24

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Certification and Records**

~~Staff employed by the Jefferson County Public School District shall be properly certified as required by law and regulation at the time of employment. Staff employed by the Jefferson County Public School District shall meet additional qualifications for each position. To implement this policy, the Superintendent shall develop objective criteria to screen applicants for vacant positions.~~

CERTIFICATION

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

~~No person shall enter upon the duties of a position requiring certification qualifications until the certificate has been filed or credentials registered with the District.~~ No person shall be eligible to hold the position of ~~s~~Superintendent, principal, teacher, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in such position, unless the person holds a certificate of legal qualifications for such position.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position. It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times. The validity and terms for the renewal of any certificate shall be determined by the laws and regulations in effect at the time the certificate was issued.

NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION

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

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

CERTIFICATION FOR TEACHING ELECTIVE COURSES

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

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

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

PERSONNEL

03.112
(CONTINUED)

Certification and Records

REFERENCES:

[KRS 160.350](#); [KRS 161.020](#); [KRS 161.048](#)
[KRS 161.730](#); [KRS 161.740](#); [KRS 161.750](#)
[KRS 161.760](#); [KRS 161.780](#); [KRS 161.790](#)
[KRS 161.800](#); [KRS 161.810](#)
[016 KAR 001:030](#); 34 CFR 200.61
P. L. 107-110 (No Child Left Behind Act of 2001)

RELATED POLICIES:

02.4241
03.11
03.5

Adopted/Amended: 01/01/1900
Order #:

-CERTIFIED PERSONNEL-**Contract****CONTRACT**

The ~~Jefferson County Public School~~ District shall enter into written contracts, either limited or continuing, for the employment of certified personnel as ~~deemed necessary~~ required by law.¹ The contract shall designate the number of days of employment which shall be worked pursuant to a working calendar approved by the Superintendent.

Contracts for certified personnel shall not exceed two hundred sixty-~~one~~two (~~261~~262) days per fiscal year.²

VOCATIONAL

Vocational agriculture teachers shall be allotted sufficient days of extended employment to provide for twelve (12) months instructional salary per year, as required by law.³

TENURE STATUS

Certified staff shall gain tenure as teachers in accordance with the provisions of KRS 161.740, and tenure as administrators in accordance with the provisions of KRS 161.765. Continuing service contracts, issuance of four (4) limited contracts in a six (6) year period, shall remain in effect until the teacher resigns or retires.

REFERENCES:

¹KRS 161.730

²KRS 161.220

³KRS 157.360

KRS 161.740

KRS 161.765

016 KAR 004:040

RELATED POLICY:

03.121

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Transfer of Tenure**

~~Certified staff shall gain tenure as teachers in accordance with the provisions of KRS 161.740, and tenure as administrators in accordance with the provisions of KRS 161.765. Continuing service contracts, issuance of four (4) limited contracts in a six (6) year period, shall remain in effect until the teacher resigns or retires.~~ Teachers who have attained continuing contract status in another Kentucky school district and are employed in the ~~Jefferson County Public Schools~~ District shall serve a one-year probationary period of service before continuing contract status is granted. This applies only when continuing contract status is transferred within seven (7) months from the time employment in the other school district is terminated.

REFERENCE:

[KRS 161.740](#)

Adopted/Amended: 01/01/1900

Order #:

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

The Board shall ~~annually~~ establish annual salary schedules and employee benefits for all certified personnel.

Insurance and other fringe benefits shall be provided to employees of the ~~Jefferson County Public School~~ District as recommended by the ~~s~~Superintendent. This may include state and ~~d~~District paid ~~fringe and~~ insurance plans, as well as optional employee-paid programs.

COBRA

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

REFERENCES:

¹Consolidated Omnibus Budget Reconciliation Act

26 CFR Part 1

[KRS 157.320](#) (12)

[KRS 160.290](#) (1)

[KRS 160.340](#) (2e)

[702 KAR 003:070](#)

Adopted/Amended: 01/01/1900

Order #:

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

The Board ~~of education~~ shall ~~establish~~approve salary schedules for all employees based on job qualifications, duties, and responsibilities for each position.

Compensation for all - 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 and/or any relevant addendums as adopted by the Board of Education.

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 newly employed by the ~~Jefferson County Public School~~ District shall be placed on the salary schedule in accordance with applicable state statutes, regulations of the ~~state-Kentucky~~ ~~b~~Board of ~~e~~Education, other applicable state and federal regulations and procedures established by the ~~s~~Superintendent.

DETERMINATION OF EXPERIENCE

Newly employed teachers may receive credit for a maximum of ten (10) years teaching experience recognized by the ~~state-Kentucky~~ ~~b~~Board of ~~e~~Education, including up to two (2) years for active pre-employment military experience. Credit may be given for a maximum of four (4) years of teaching/work experience prior to ten (10) years immediately preceding employment. Up to four (4) years experience credit will be deducted from the total years of experience of ~~technology-T & I~~ teachers not holding a Bachelor's Degree.

The ~~d~~District shall recognize Rank III + 15 hours and Rank II + 15 hours for advancement on the salary schedule, upon successful completion of appropriate coursework.

Only bona fide college credit as determined by the Education Professional Standards Board, shall be recognized in advancing from one salary rank to another. Non-college credit shall not apply to salary rank advancement.

A minimum of one hundred forty (140) days of employment and the equivalent of at least seventy (70) full school days of performing teaching duties in any one (1) school year shall be required for one (1) year's of experience credit.

~~Part-time experience-A teacher~~ will be credited for a year of experience when athe teacher is employed for at least one hundred forty (140) days of a school year and performs teaching duties for the equivalent of at least seventy (70) full school days during that school year or is employed at least one hundred forty (140) days during each of two (2) school years and performs teaching duties for the equivalent of at least (70) full school days during those years.

Experience credit shall not be given for the following:

- Substitute teaching
- Summer school teaching
- Nursery/Pre-school teaching (unless teaching certification was required)
- Student ~~or cadet~~ teaching

Salaries

In no event shall more than one (1) year of experience be credited for professional experience during a given school year.

EXTENDED EMPLOYMENT

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

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

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

EXTRA SERVICES, ~~AND SUPPLEMENTARY PAYS AND SUPERVISION~~

~~The Board of education shall provide supplementary pay plans for positions where justified for added responsibilities. In such cases the job descriptions must reflect added responsibilities and must have prior approval of the b~~The Board shall approve a schedule of compensation for extra services.

As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2000 for the life of the certificate.

RANK AND EXPERIENCE

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

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

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

SENIORITY

Seniority shall be computed from the first compensable day of employment as a permanent employee in the ~~Jefferson County Public School~~ District following last break in service, if any.

EXCEPTION

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

PAYROLL DISTRIBUTION

~~All e~~Employees shall be paid according to a schedule approved annually by the Board~~every two weeks on the calendar approved by the board of education.~~

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

Salaries**QUALIFICATIONS**

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

NOTICE OF SALARY

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

LIST OF SALARIES

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

PAYROLL DEDUCTIONS

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

REFERENCES:

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360
KRS 157.390; KRS 157.391; KRS 157.395; KRS 157.420
KRS 160.290, KRS 160.291
KRS 161.1211, KRS 161.134, KRS 161.168; KRS 161.760
KRS 424.220; 016 KAR 001:040; OAG 97-25
702 KAR 003:060, 702 KAR 003:070, 702 KAR 003:100, 702 KAR 003:310
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

Adopted/Amended: 01/01/1900
Order #:

-CERTIFIED PERSONNEL-**Salary Deductions**

~~Payroll deductions may be made when properly authorized by an employee or group of employees, including but not limited to the following:~~

~~— Voluntary Insurance Plans:~~

- | | |
|------------------------------------|--|
| • Hospitalization | • Homeowners |
| • Income Protection | • Automobile |
| • Life | • Accidental Death and Disability |
| • Legal Services | |
| — Tax Sheltered Annuity | |
| — Mutual Fund | |

~~U. S. Savings Bond~~

- ~~— Credit Union~~
- ~~— Organization or Union Dues~~

~~— Voluntary Contributions:~~

- | | |
|--------------------------------|--|
| • Metro United Way | • United Negro College Fund |
| • Fund for the Arts | • Crusade for Children |

TAX SHELTER ANNUITY/DEFERRED COMPENSATION PROGRAMS

~~The Jefferson County Public School District shall make available, to its employees, the means whereby tax sheltered annuities may be purchased and compensation may be deferred through payroll deductions.~~

~~The payroll deductions for tax sheltered annuities and deferred compensation plans shall comply with all applicable legal requirements, including the Internal Revenue Code, of 1954, as amended, and as provided in KRS 161.158, and KRS 18A.230. The payroll deductions for deferred compensation plans shall comply with the Internal Revenue code of 1954, as amended, and as provided for in KRS 161.158 (2) and (3) and KRS 18A.230 through 18A.350.~~

~~Tax sheltered annuity plans shall be approved by the sSuperintendent and the bBoard.~~

MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

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

-CERTIFIED PERSONNEL-**Salary Deductions****OPTIONAL DEDUCTIONS**

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

1. Board approved Tax Sheltered Annuity programs;
2. Board approved Mutual Fund programs;
3. Board approved voluntary insurance plans;
4. Class Act Federal Credit Union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for professional teachers' organizations or Unions;
7. Charitable contributions for Metro United Way, Fund for the Arts, United Negro College Fund or Crusade for Children.

No other payroll deductions shall be made unless authorized by the Board.

SIGNED REQUEST REQUIRED

No optional payroll deduction, authorized by the Board, shall be deducted from an individual employee's salary without a signed request or electronic authorization from that employee affirmatively requesting the optional deduction. ~~Such request must be filed on an annual basis on forms to be developed by the Superintendent.~~ The Superintendent shall develop the manner and time for filing such requests.

CHANGES IN DEDUCTIONS

Designated payroll deductions shall remain in effect for the scheduled deduction period until a change or cancellation notice is received in the payroll department. Upon receipt of such notice, the payroll officer will put into effect such changes on the next appropriate scheduled pay date, unless contrary to state or federal regulations.

REFERENCES:

KRS 18A.230, KRS 161.158, KRS 160.291
702 KAR 001:035, OAG 72-802

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Order #:

- CERTIFIED PERSONNEL -

Reduction in Salary and Responsibility

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

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

REFERENCE:

[KRS 161.760](#)

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.1213

- CERTIFIED PERSONNEL -

Cafeteria Plan

Certified personnel shall be eligible to participate in a cafeteria plan of benefits.

The Superintendent shall develop and make available to employees a list of benefits and procedures consistent with the regulations as listed in 26 C.F.R, Part I, 1.125.1. This listing, or any amendments thereto, shall be subject to review and final approval by the Board.

REFERENCE:

26 C.F.R., Part I, 1.125.1

Adopted/Amended: 01/01/1900
Order #:

-CERTIFIED PERSONNEL -**Holidays and Vacation Leave****HOLIDAYS**

~~Holidays will be designated~~ All certified employees who work less than 260 days per year shall be paid for four (4) holidays. All certified employees who work 260/261/262 days per year shall be paid for nine (9) holidays. ~~The paid holidays which shall be designated~~ annually by the superintendent, ~~and approved by the board of education and included in the annual official school calendar.~~ These holidays are part of the school year required by state law.¹

VACATION

~~Any permanent, full-time 12-month-certified employees of the Jefferson County Public School District who work 260/261/262 days per year shall be granted earn~~ paid vacation leave pursuant to the approved vacation leave procedures and shall be entitled to accumulate a maximum of ~~sixtyfourty~~ (6 40) days of vacation. ~~Requests for vacation leave must be approved by the employee's supervisor who may deny such leave if the employee's absence will interrupt or impede the work program.~~ Compensation for accrued vacation shall be made at the time of retirement at a rate not to exceed the daily salary rate calculated from the employee's last annual compensation.²

~~In the event of retirement, resignation, or termination, vacation shall be prorated and accrue on a monthly basis at the rate of 1/10 of the eligible vacation per month, not to exceed total vacation time available.~~

Recognition of annual leave for KTRS purposes shall be governed by applicable statutes and regulations. For an individual who became a member of KTRS on or after July 1, 2008, payment for annual or compensatory leave shall not be included in determining the member's last annual compensation.

REFERENCES:

¹[KRS 158.070](#)

²[KRS 160.291](#)

[KRS 161.540](#)

[KRS 2.110](#)

[KRS 2.190](#)

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Leaves and Absences**

The ~~s~~Superintendent shall establish procedures for granting leaves of absence authorized by law/~~b~~Board policy.

APPROVAL

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. An absence from duty not associated with an approved leave shall be treated as job abandonment regardless of intent to return to work and may result in termination.

NOTIFICATION OF RETURN

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

LEAVE FOLLOWING ASSAULT

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

PLACEMENT UPON RETURN

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

FMLA

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

REFERENCES:

KRS 161.155; KRS 161.770

OAG 01-9

Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124, 03.17

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Personal Leave**

~~Jefferson County Public School~~ District employees may be credited with paid personal leave which may be used at the employee's discretion ~~as per~~pursuant to procedures established by the ~~s~~Superintendent and any applicable negotiated agreement.

Except as expressly provided in negotiated labor agreements, part-time, temporary, seasonal, probationary and substitute employees and student workers are excluded from paid personal leave.

APPROVAL

Personal leave shall be approved by the employee's immediate supervisor or the appropriate administrator if the employee's absence will not interrupt or impede the work program or violate any applicable negotiated labor agreement. ~~must approve the leave date.~~

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

No reasons shall be required for ~~the~~personal leave.

AFFIDAVIT

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

ACCUMULATION

Unused personal leave days ~~may~~shall be converted to sick leave at the end of each fiscal year.

REFERENCE:

[KRS 161.154](#)

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Sick Leave**

Sick leave shall be granted to employees in accordance with the limits and restrictions set by law provided the employee has not exhausted the current and accumulated sick leave credit. Employees must be in active pay status or on an approved leave during their scheduled work year in order to utilize sick leave.

Temporary, seasonal and substitute employees and student workers shall be excluded from paid sick leave.

AFFIDAVIT

Sick leave may be granted to an employee upon presentation of a personal affidavit or a certificate of a physician stating that the employee or member of employee's immediate family was ill on the day or days absent from duty and providing the employee has not exhausted the current and accumulated sick leave credit.¹

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to which the employee was entitled on the date of transfer to the District.

SICK LEAVE DONATION PROGRAM

~~A sick leave donation program shall be established as required by law. The Superintendent shall develop procedures to implement this program. Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.~~

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

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

PERSONNEL

03.1232
(CONTINUED)

Sick Leave

Sick Leave Bank

Sick leave banks may be established as permitted by law.

REFERENCES:

¹[KRS 161.155](#), Sec. 2, [KRS 161.152](#), [OAG 79-148](#)
[OAG 93-39](#)
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.12322
03.1233
03.124
03.175

Adopted/Amended: 01/01/1900
Order #:

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

In compliance with the Family and Medical Leave Act of 1993, as amended (FMLA), and under procedures developed by the Superintendent eligible employees may take up to twelve (12) workweeks of unpaid family and medical leave each rolling 12 month period for the following reasons:

1. For the birth and care of an employee's newborn child within twelve (12) months of the birth or for the placement of a child with the employee for adoption or foster care within twelve (12) months of the placement;
2. To care for the employee's spouse, son, daughter, child, or parent who has a serious health condition, as defined by federal law;
3. For an the-employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the functions of his/her job;
4. To address a qualifying exigency (need) defined by federal regulation arising from 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 a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties of his/her office, grade, rank or rating, or to care for a covered veteran with a serious injury or illness as define by federal regulations.

~~If both husband and wife are District employees, they may take a combined total of up to 12 workweeks of leave under paragraphs 1, 2 and 3 above.~~

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a health care provider's certification, when such a request is permitted by federal regulations-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 a certification of healthcare provider form submitted in support of a family and medical leave request about which there are questions. The employee's direct supervisor shall not contact the provider.

Family and Medical Leave

- 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). When leave is needed for planned medical treatment, the employee must consult with the District about the leave schedule.

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

~~Employees shall provide 30 days advance notice when the need for leave is foreseeable; otherwise, employees shall provide notice as soon as practicable. When leave is needed for planned medical treatment, the employee must consult with the District about the leave schedule.~~

ELIGIBILITY

Employees are eligible for FMLA leave if they have been employed by the District for twelve (12) months, and 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.

Full-time teachers are deemed to meet the 1,250 hour test. 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.

When family and medical military caregiver leave is taken ~~to care for a service member's recovery from based on~~ 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 regulations.

~~An employee may take up to 26 workweeks of unpaid leave during a single 12-month period to care for the employee's spouse, child, parent or next of kin who incurred a serious injury or illness while on active duty in the Armed Forces. If both husband and wife are District employees, they may take a combined total of up to 26 workweeks of leave.~~

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

Leave that is taken by an eligible employee for any of the ~~above-designated~~ reasons shall be counted as FMLA-family and medical leave, even if the employee does not request leave under the FMLA. If an employee is entitled to paid leave under any Kentucky statute, other District policy, or collective bargaining agreement, the employee may elect to substitute the paid leave for unpaid FMLA leave, and the paid leave shall run concurrently with the FMLA leave.

~~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, w~~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 family and medical leave entitlement.

Family and Medical Leave

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.

RESTRICTIONS (CONTINUED)

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

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

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

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

INTERMITTENT LEAVE/REDUCED HOURS

~~Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis. Leave may be taken intermittently or on a reduced leave schedule when medically necessary~~ for a serious health condition of the employee or a family member. Intermittent leave or a reduced leave schedule may be taken for other reasons only at the District's discretion. The District may temporarily transfer an employee to an available alternative position or may alter an existing job to better accommodate intermittent or reduced schedule leave.

Special Limitations on Family and Medical Leave for Instructional Employees

~~When leave is taken near the end of a semester, the District may require an instructional employee to continue the leave to the end of the semester in accordance with federal regulations.~~ If intermittent leave or reduced schedule leave is requested for planned medical treatment, and if the leave would cover more than twenty (20) percent of the working days in the period of leave, the District may require the employee either to take leave for a period or periods not greater than the duration of the treatment, or to transfer temporarily to an alternative equivalent position which better accommodates such leave.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued before the leave began. Health insurance for an employee on family and medical leave shall continue to be provided on the same terms as before the leave by the state on the same basis had the employee not taken leave. Employees on leave shall pay their portion of health insurance premiums unless they choose to terminate health insurance. If an employee substitutes paid leave for FMLA-family and medical leave, the employee's portion of health insurance premiums will be paid by payroll deduction during the period of paid leave.

Family and Medical 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. ~~When leave is taken for an employee's own serious health condition and before the employee returns to work, the District may require a fitness for duty certification 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 ~~returned-entitled~~ to his/her same position (or a position with equivalent pay, benefits, and terms and working conditions of employment), as determined by established District policies, practices and collective bargaining agreements. However, the employee has no greater right to reinstatement or benefits than if the employee had not taken any leave.

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.

MISCELLANEOUS

Except as set forth in this policy, the District reserves the right to exercise all discretion afforded to it under the FMLA and ~~the~~ federal regulations. This policy shall not expand eligibility for leave beyond what is required by federal law. To the extent that this policy fails to state any limitations or requirements set forth in the FMLA and federal regulations, such limitations or requirements shall apply. If greater rights are provided under any collective bargaining agreement, such rights shall apply.

REFERENCES:

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

RELATED POLICIES:

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**MaternityChild Rearing/Adoption Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevents the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232. An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children.

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

Additional sick leave days may be used when the need is verified by a physician's statement.
Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for child rearing/adoption leave, except as provided by federal law.

UNPAID MATERNITYCHILD REARING/ADOPTION LEAVE (KRS 161.770)

An employee of the ~~Jefferson County Public School~~ District may be granted upon written request an unpaid leave of absence for the purpose of fulfilling adoption requirements or for rearing the employee's pre-school child(ren).

A single child rearing/adoption leave may be granted for a period of no less than thirty (30) days and no more than two (2) consecutive school years or a major portion thereof. Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for child rearing/adoption leave, except as provided by federal law.

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

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

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or receipt of the child.

REFERENCES:

KRS 161.155; KRS 161.770
OAG 80-151; OAG 84-43; OAG 86-66
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322

Adopted/Amended: 01/01/1900

Order #:

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

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

UNPAID LEAVE

~~An employee of the Jefferson County Public School District may be granted a medical leave upon written request.~~ Unpaid ~~disability medical~~ leave may be granted by the Board, upon written request, ~~for the remainder of the school year whenever~~ an employee has been advised by a physician that, for medical reasons, the employee will not be able to work. The written request shall include the "Certification of Health Care Provider" form completed by the attending physician.

~~An medical extended disability medical~~ leave of absence may be granted for a period of not more than two (2) consecutive years. At the end of the second year, if the employee is unable to return to work, he/she may request renewal. Such ~~a~~ renewal is subject to approval by the ~~b~~ Board upon recommendation of the ~~s~~ Superintendent.

An employee who qualifies for workers compensation payment while on ~~medical extended disability medical~~ leave directly resulting from an accident sustained in the course of fulfilling job responsibilities may receive service credit for the purpose of salary step placement.

Initial probationary, temporary, seasonal, and substitute employees and student workers shall not be eligible for ~~medical extended disability medical~~ leave except for those qualifying for workers compensation payments directly resulting from accidents sustained in the course of fulfilling job responsibilities.

FMLA

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

NOTIFICATION OF RETURN

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

VERIFICATION

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

PLACEMENT UPON RETURN

Employees taking ~~disability medical~~ leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed if the leave exceeds ninety (90) days or if the position has been eliminated.

Extended Disability Medical Leave

INVOLUNTARY ~~DISABILITY~~ MEDICAL LEAVE

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

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

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.¹

RETIREMENT DISABILITY

Retirement disability shall be handled in accordance with KRS 161.662.²

REFERENCES:

¹KRS 161.790; OAG 65-560, KRS 161.770

²KRS 161.662, OAG 80-151

OAG 84-43

Consolidated Omnibus Budget Reconciliation Act

Family & Medical Leave Act of 1993

Americans with Disabilities Act of 1990

RELATED POLICIES:

03.111

03.113

03.123

03.12322

03.173

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -

Educational/Professional Leave

EDUCATIONAL/PROFESSIONAL PURPOSE

Long-term ~~staff development educational/professional~~ leave may be granted to employees of the ~~Jefferson County Public School~~ District for educational or professional purposes for a period of not more than two (2) consecutive years. The employee may request a renewal. Such a renewal is subject to approval by the ~~b~~Board upon recommendation of the ~~s~~Superintendent.

When the leave is requested, the intended educational and/or professional ~~accomplishment purpose~~ of the leave shall be included with the request. Evidence of such educational/professional work must be presented upon return from leave. Time spent on ~~educational~~/professional leave shall not count toward continuing contract status.

Leave may be granted for full-time attendance at universities or other training or professional activities ~~approved by the Board~~ when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for part-time educational activities.

STAFF VISITATIONS AND CONFERENCES

~~Jefferson County Public School~~ District employees may apply for and be granted a leave of absence by the Superintendent/designee for the purpose of attending professional meetings, conferences and workshops outside the ~~d~~District which are adjudged to be in the interest of the ~~d~~District. Administrative procedures may cover assignment, payment of expenses, waiving of salary deductions and ~~or~~ other ~~board-adopted pertinent relevant~~ matters.

Payment of allowable expenses of individuals attending such meetings and the cost of necessary substitutes may be made upon approval of the appropriate authority.

LIMITATIONS

Part-time certified, temporary, seasonal and substitute employees are not eligible for ~~conference/workshop~~ educational/professional leave unless approved by the ~~s~~Superintendent/designee.

LIMITATIONS

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

~~Initial probationary, part-time classified, temporary, seasonal and substitute employees and student workers are not eligible for staff development leave.~~

TIME OF APPLICATION

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

PERSONNEL

03.1235

- CERTIFIED PERSONNEL -

(CONTINUED)

Educational/Professional Leave

NOTIFICATION OF RETURN

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

PLACEMENT UPON RETURN

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

REFERENCES:

[KRS 161.770](#)

[OAG 79-106](#)

[OAG 84-43](#)

[OAG 91-134](#)

Adopted/Amended: 01/01/1900

Order #:

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

Full-time certified employees shall be entitled to ~~E~~emergency leave, not to exceed two (2) days of leave with pay each school year, as per~~per~~pursuant to procedures established by the ~~s~~Superintendent.

Part-time, initial probationary, temporary, seasonal and substitute employees ~~and student workers~~ are ~~excluded from~~ not eligible for emergency leave.

REASONS FOR LEAVE

Reasons for granting emergency leave may include the following:

BEREAVEMENT

1. Death or funeral of a relative by blood or marriage.

DISASTERS

2. Emergency situations resulting from natural disasters, such as flood, tornado, or primary dwelling fire. This applies only in cases not covered by sick leave.

COURT/LEGAL

~~Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See Policy 03.1237.)~~

OTHER

3. Such other reasons of an emergency or extraordinary nature as approved by the ~~s~~Superintendent/designee

REQUEST FOR LEAVE

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

AFFIDAVIT

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

ACCUMULATION

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

REFERENCES:

KRS 161.152, KRS 161.155
OAG 76-427, OAG 72-348

RELATED POLICIES:

03.1232, 03.1237

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Court Appearances/Jury Leave****COURT APPEARANCES**

Employees of the ~~Jefferson County Public School~~ District who are legally required to appear in court or to be away from regular school duties for school-related legal obligations and who are not covered under any other leave policy shall be granted paid leave when such appearance is properly certified. The ~~d~~District may provide legal counsel to employees in any legal action taken against them in connection with the discharge of their duties when sanctioned by the ~~s~~Superintendent. The employee must, however, promptly deliver the original or copy of a summons, complaint, or other legal paper to the immediate supervisor.

Such leave shall not be granted when the employee is a plaintiff or witness against the ~~b~~Board or its agents, or when the employee is a plaintiff in cases without the sanction of the ~~s~~Superintendent.

JURY DUTY

Any employee of the ~~Jefferson County Public School~~ District who serves on a jury shall be granted jury duty leave with regular pay, less any compensation received as jury pay. Any reimbursement for expenses may be retained by the employee.

NOTICE

~~Persons~~An employee who will be absent from work to serve on ~~juries~~jury duty must give advance notice to their immediate supervisors.

REFERENCES:

[KRS 161.153](#)

[OAG 78-696](#)

Adopted/Amended: 01/01/1900

Order #:

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

Military leave shall be granted to any employee of the ~~Jefferson County Public School~~ District pursuant to KRS 61.371-61.379 and 61.394.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or the reserve corps of the United States Public Health Service shall be entitled to military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days (no more than 15 work days). Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

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

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

REFERENCES:

¹[KRS 61.373](#), [KRS 61.375](#), [KRS 61.377](#), [KRS 61.394](#), [KRS 61.396](#)

²[KRS 61.395](#)

[KRS 161.168](#)

[KRS 161.740](#) (3)

[702 KAR 003:070](#)

[OAG 76-316](#)

[OAG 74-258](#)

[OAG 82-305](#)

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.1239

- CERTIFIED PERSONNEL -

Leave for Political Activities

Upon the recommendation of the Superintendent the board of education may grant any employee, upon written request, an unpaid leave for the purpose of engaging in political activities.

REFERENCES:

[KRS 160.291](#)

[KRS 161.164](#)

[KRS 161.990](#)

Adopted/Amended: 01/01/1900

Order #:

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

~~The Board shall provide insurance and other fringe benefits shall be provided to District employees of the Jefferson County Public School District as recommended by the Superintendent. This may include state and District paid fringe and insurance plans as well as optional employee-paid programs.~~

~~The Jefferson County Public Schools District shall issue a master group policy with an insurance carrier, selected in compliance with prevailing state law, for accident coverage of students and all Board of education employees.~~

~~This group plan shall be offered as a public service, and enrollment shall be optional. Insurance enrollment material shall be distributed to all schools and offices at the beginning of the school year.~~

The Board shall provide unemployment insurance¹, workers' compensation² and liability insurance for all certified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.³

WORKERS' COMPENSATION

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

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

REFERENCES:

¹[KRS 341.050](#)

²[KRS 342.630](#)

³[702 KAR 001:035](#)

[OAG 83-151](#)

Consolidated Omnibus Budget Reconciliation Act

Kentucky Constitution (Section 3); [KRS 161.155](#); [KRS 342.730\(6\)](#)

RELATED POLICIES:

03.1211, 03.123, 03.12322, 03.14

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Workers' Compensation Payments****COORDINATION WITH SICK LEAVE**

~~Employees shall not be required to use sick leave in connection with a work-related injury. However, e~~Employees claiming workers' compensation income benefits who have sick leave available ~~may choose to~~ shall use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary. Employees with no accumulated sick leave shall be eligible for compensation as required by law.

EMPLOYEE ELECTION

~~In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.~~

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.1232

03.12322

-CERTIFIED PERSONNEL-**Expense Reimbursement**

Provided the Superintendent/designee has authorized the expenditure, actual and Necessary expenses incurred by ~~Board~~ employees ~~of the board of education~~ in the performance of their official duties shall be reimbursed upon submission of claims filed under approved procedures.

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.

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/designee and the Council in SBDM schools will be reimbursed at the State mileage reimbursement rate in effect ~~at that time when the employee uses his/her own vehicle~~ on July 1 of each fiscal year.

Travel vouchers shall be submitted within one (1) week month of the travel. Travel vouchers for travel during the month of June must be submitted by July 5.

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.

With prior Superintendent/designee approval, expenses such as airfare and hotel costs may be paid directly to the vendor. No other advances for anticipated expenses shall be made.

~~For further guidance on~~ The Superintendent shall post procedures for reimbursement ~~for of~~ mileage and other authorized expenses, travel reimbursement ~~guidelines~~ and the use of vouchers ~~procedures are posted on the District web site.~~

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. With prior Board approval, expenses such as airfare and hotel costs may be paid directly to the vendor. No other advances for anticipated expenses shall be made.

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

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

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Assignment**

~~All employees of the Jefferson County Public School District shall be assigned by the superintendent subject to the notification of the board of education. The administration of the school system must be responsive to changing conditions.~~ The assignment of all certified personnel shall be made by the Superintendent ~~and All assignments of employees~~ shall be made in accordance with state law, Kentucky Administrative Regulations, and/or other legal agreements.¹ The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. The ~~s~~Superintendent may designate ~~Personnel Services~~ Human Resources to provide notice of assignment. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

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

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

~~Employees shall not be assigned to a school, office or unit where an employee must be directly supervised or evaluated by a relative as defined in Board policy 03.11. If such a situation occurs through hire, transfer, marriage or other arrangement, the employee(s) shall notify the Human Resources Department. The Superintendent shall make a final determination as to the appropriate action to be taken.~~

~~The curriculum of the Jefferson County Public School District shall include regular programs, special education programs, and optional schools/programs. The special characteristics and requirements of these programs shall be used to develop criteria for assigning teachers to programs/options within schools and program/schools within the dDistrict.~~

~~No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of such employee to be a supervisor of such employee. For purposes of this policy, a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. This policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this policy.~~

- CERTIFIED PERSONNEL -**Assignment**

The sSuperintendent shall provide for an orientation and/or workshop ~~type activity~~ before the employee assumes the new responsibilities.

~~All assignments of employees shall be made in accordance with state law, Kentucky Administrative Regulations, and/or other legal agreements.~~

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

REFERENCES:

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

RELATED POLICY:

02.4244

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Transfer**

The ~~s~~Superintendent shall establish assignment and transfer procedures for effecting voluntary and involuntary transfer/reassignments which may be applied at the request of the employee or which may be initiated by the ~~school—d~~District. All voluntary and involuntary transfers/reassignments shall be approved by the ~~s~~Superintendent.

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

A teacher elected to a school council shall not be involuntarily transferred during his or her term of office.

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

Teachers and administrators seeking a different position of responsibility shall have recent training, preferably a field experience or internship in which the person is given related job experiences. The training shall be designed to prepare the individual to assume a position of authority and responsibility and to provide an opportunity for evaluating his/her readiness to assume such a position. The Superintendent shall provide for an orientation and/or workshop-~~type activity~~ before the employee assumes the new responsibilities.

EMPLOYEE REQUESTS

~~Jefferson County Public School—~~District employees may request and be considered for transfer within the same job classification from one work location to another and for reassignment from one position/job classification to another at the same salary grade having the same level of responsibility-~~within the Jefferson County Public School District~~. A reassignment may be an intra-school or an intra-system action. The employee must request reassignments and transfers in writing. Such requests will be deemed to have been made on a voluntary basis and once a reassignment or transfer has been made there shall be no appeal. The employee shall meet the minimum qualifications of the job classification to which reassigned or transferred.

TEMPORARY DUTY

Any employee may be temporarily appointed or assigned by the ~~s~~Superintendent to duties other than the employee's regular duties subject to the notification of the ~~b~~Board ~~of education~~. There shall be no change in compensation or benefits during the temporary appointment or assignment unless authorized by the ~~s~~Superintendent.

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

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

PERSONNEL

03.1311
(CONTINUED)

- CERTIFIED PERSONNEL -

Transfer

REFERENCES:

¹[KRS 161.760; OAG 78-266](#)
[KRS 160.380; OAG 76-360](#)
[OAG 91-149](#)
[OAG 92-1](#)
[OAG 91-115](#)
[OAG 92-135](#)
[OAG 92-78](#)

RELATED POLICY:

02.4244

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Promotion**

Positions established by the ~~bBoard of education~~ which require administrative or supervisory certification may be deemed as promotional opportunities. Promotional opportunities shall also include administrative positions/job classifications which are paid at a higher salary range than the one to which currently assigned.

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

After all administrative personnel in active status are ~~deployedassigned~~, vacancies shall be advertised and staffed; in accordance with affirmative action, equal employment opportunity, and state and federal laws. ~~All qualifications being equal, preference for filling such vacaneies shall be given to personnel currently employed by the bBoard of education.~~

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

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position. In addition, Attendance data shall be considered in the promotion of employees. References and job attendance data are required of all applicants and these will be carefully considered in making decisions on promotions.

REFERENCES:

KRS 160.380

OAG 76-360

OAG 91-149

OAG 92-1

RELATED POLICY:

02.4244

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Demotion**

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

REFERENCES:[KRS 161.760](#)[KRS 161.765](#)[KRS 161.164](#)[OAG 76-360](#)[OAG 91-149](#)[OAG 92-1](#)[OAG 92-135](#)

Adopted/Amended: 01/01/1900

Order #:

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

~~The sSuperintendent shall have the authority to assign administrative staff to temporary or interim positions to carry out the day-to-day operation of the school system. Persons acting in such positions shall be informed of who their immediate supervisor shall be and what responsibilities are included in the job description.~~

The Superintendent shall be responsible for clearly specifying requirements and expectations for all other administrators and holding each of them accountable for satisfactorily completing their assigned duties. In doing so, T~~he s~~Superintendent ~~shall~~may delegate the responsibility of supervision for improvement of instruction to those persons who have been identified for the task within the organizational structure. ~~All staff shall be informed of the name of their immediate supervisor.~~ The goal of supervision shall be to maximize employee capabilities in the pursuit of educational excellence.

Supervision shall be provided for all certified employees. All employees shall be informed of the name of their immediate supervisor.

JOB DESCRIPTION

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

REFERENCE:

KRS 160.290(1)

RELATED POLICY:

03.133

Adopted/Amended: 01/01/1900

Order #:

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

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. The employee shall report any damaged, lost, stolen, or vandalized property to his/her 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 the 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~~employment. These items (including security codes and electronic records, such as E-mail) are property of the District and shall ~~not~~ be used ~~solely for job-related purposes for outside employment.~~

RESOURCES DEVELOPED AT DISTRICT EXPENSE

Royalties and profits derived from the sale or use of articles, writings, publications, audio-visual aids, and other materials developed at ~~d~~District expense for school use or as a result of officially assigned duties shall accrue to the ~~d~~District's general fund.

Residuals shall not be paid to any person who, while employed by the ~~d~~District, produced or participated in the development of such materials at ~~d~~District expense.

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.

The JCPS Networks are provided to assist employees in carrying out the educational business of the District, conducting research, and communicating with others in regard to school work. Along with this access comes the availability of materials that may not be considered appropriate for use in the workplace. Because it is impossible to control all materials available through the Internet, each employee is ultimately responsible for observing the JCPS standards outlined below, as well as other applicable school and District rules for behavior and communications.

Access is a privilege, not a right.

Access to this shared resource is given to employees who agree to utilize the JCPS Networks to support the educational business of JCPS and to act in a considerate and responsible manner.

Employees will:

- Use the JCPS Networks for the educational business of JCPS such as conducting research and communicating with others in regard to school business; and
- Use appropriate language, avoiding swearing, vulgarities, or abusive language.

Use of School Property

Employees will NOT:

- Transmit or receive materials in violation of federal or state laws or regulations pertaining to copyrighted or threatening materials; or transmit or receive obscene or sexually explicit materials;
- Use the JCPS Networks for personal or commercial activities, product promotion, political lobbying, or illegal activities;
- Break into/attempt to break into another computer network;
- Damage/attempt to damage, move, or remove software, hardware or files;
- Use unauthorized multi-user games;
- Send or forward chain letters;
- Download or use unauthorized software products;
- Create or share computer viruses;
- Share access to their JCPS Network account, fail to reasonably protect their JCPS Network account, share passwords provided to access District information, or use another person's account; or,
- Use the JCPS Networks to disrupt the efficient operation and/or educational programs of the District.

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

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

DISREGARD OF RULES

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

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

DRIVING RECORD USE OF BOARD-OWNED VEHICLES

The Superintendent/designee shall issue operational and management procedures for all Board-owned vehicles used by District employees.

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall annually provide the Superintendent with a copy of their driving record from the Kentucky Department of Transportation. 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 School Property

USE OF BOARD-OWNED VEHICLES

~~The sSuperintendent/designee shall issue operational and management procedures for all bBoard-owned vehicles used by employees of the Jefferson County Public Schools District.~~

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones. A uniform and controlled system shall be established for monitoring use and appropriate reimbursement to the District, based on itemized billing statements for each device.

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

1. Assignment of a device to an employee is a prudent use of District resources.
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.

USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)

~~District-owned telecommunication devices shall be used for authorized District business purposes. Personal use of such equipment is prohibited except for emergency situations. Employees shall reimburse expenses incurred for emergency personal use.~~

RESPONSIBILITY FOR DAMAGES

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

REFERENCES:

KRS 160.290
KRS 189.292; KRS 189.294
KRS 281A.205
702 KAR 005:080

RELATED POLICY:

03.1721

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -

Gifts

No employee of the ~~Jefferson County Public School~~-District shall receive, directly or indirectly, any gift, reward, or promise of reward in exchange for influence in recommending or procuring the use of any goods, services, property, or merchandise of any kind for which ~~school~~District funds are expended.

~~Appeals by community organizations for support shall be authorized by the sSuperintendent/designee prior to collection of funds. All donations/contributions will be voluntary.~~

REFERENCE:

KRS 160.580

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.1323

- CERTIFIED PERSONNEL -

Solicitations

Appeals by community organizations for support shall be authorized by the
| ~~s~~Superintendent/designee prior to collection of funds. All donations/contributions ~~will~~shall be
voluntary.

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Political Activities**

Employees of the ~~Jefferson County Public School~~ District shall not promote, organize or engage in political activities ~~on Jefferson County Public School property~~ during school/office hours. At no time shall school equipment be used for political purposes by employees. Promoting, organizing or engaging in political activities shall include, but not be limited to, the following:

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

Any employee engaging in political activity during school/office hours shall be subject to disciplinary action, ~~including termination, which could result in discharge.~~

"Political positions" shall not be defined to include communications approved by the Superintendent to be distributed to parents or the community concerning District needs or proposed actions by the Board. Examples of such communications may include, but not be limited to, those addressing ~~designation of attendance zones/areas the District's legislative priorities~~ and District facility and financial needs.

Employees shall not be prohibited from renting school property for use at appropriate times for political purposes. ~~Upon the recommendation of the Superintendent the Board of education may grant any employee, upon written request, an unpaid leave of absence for the purpose of engaging in political activities.~~

SCHOOL BOARD ELECTIONS

The Superintendent shall inform all District employees of the provisions of [KRS 161.164](#).

REFERENCES:

[KRS 161.164](#); [KRS 161.990](#)
[OAG 72-700](#); [OAG 63-572](#)
[OAG 92-145](#)

RELATED POLICY:

03.113

Adopted/Amended: 01/01/1900
Order #:

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

Any employee who participates in or encourages activities that disrupt the educational process, whether on school property or at school-sponsored events and activities, may be subject to disciplinary action, including termination ~~of contract~~.

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

1. Conduct that threatens the health, safety, or welfare of others;
2. Conduct that may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
5. Conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

OTHER CLAIMS COMPLAINTS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 03.162, which addresses harassment/discrimination allegations.

REFERENCES:

[KRS 160.290](#)

[KRS 161.790](#)

RELATED POLICIES:

03.113, 03.162, 03.17, 09.422, 10.21

Adopted/Amended: 01/01/1900

Order #:

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

The ~~Jefferson County Public School~~ District is committed to maintaining a drug-free workplace. ~~The unlawful manufacture, distribution, dispensing, possession, or use of alcohol, intoxicants, inhalants, narcotics, non-narcotics that do not have a legitimate medical use, or any other controlled substance, as defined in schedule I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) or Kentucky Revised Statutes Chapter 218A, is prohibited in the workplace. Failure to comply with this prohibition is grounds for disciplinary action up to and including termination.~~

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

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

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

DEFINITIONS

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

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

Prohibited substances include:

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

AUTHORIZED DRUGS

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

WORKPLACE DEFINED

For purposes of this policy, "workplace" shall include any site where ~~d~~District work is performed, including school buildings, school premises, property owned, leased or used by the ~~d~~District for educational or business purposes, school-owned vehicles, or other school-approved vehicles used for school business or to transport staff members or students to and from school or school activities. "Workplace" also includes any school-sponsored or school-approved activity, event or function such as a field trip or athletic event where students or staff members are under the jurisdiction of the ~~d~~District.

Drug-Free/Alcohol-Free Schools**SUSPENSION/TERMINATION/NON-RENEWAL**

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

~~Employees shall be subject to disciplinary action, up to and including termination, if convicted of offenses related to sexual misconduct or drugs, as defined in Board Policy GCDB, 03.11, or for alcohol, violent crime or felony offenses committed on or off school district property. Each employee shall notify his or her supervisor of any criminal conviction for these offenses no later than five (5) days after the conviction. Failure to provide notice of a criminal conviction for these offenses may result in disciplinary action, up to and including termination.~~

ALTERNATIVE

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

REPORTING

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

POST-DISCIPLINE DRUG TESTING

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

AWARENESS AND PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free awareness and prevention program ~~for all to inform employees about the dangers of drug abuse in the workplace; the district's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace~~ which shall include notice of the following:-

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;

PERSONNEL

03.13251

- CERTIFIED PERSONNEL -

(CONTINUED)

Drug-Free/Alcohol-Free Schools

AWARENESS AND PREVENTION PROGRAM (CONTINUED)

4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

REFERENCES:

[KRS 160.290](#); [KRS 160.380](#); [KRS 161.120](#); [KRS 161.175](#); New Section of 218A
[701 KAR 005:130](#); [KRS 161.790](#); [KRS 217.900](#); [016 KAR 001:030](#); 34 CFR Part 85
P. L. 101-226 (Improving America's Schools Act of 1994 (Title IV): Safe and Drug-Free
Schools and Communities)

RELATED POLICIES:

03.1325
08.1345
09.2241

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Duties**

Each employee of the ~~Jefferson County Public School~~ District shall carry out the duties and responsibilities under such standards as will assure ethical performance of duty. As public employees working for the ~~Jefferson County Public School~~ District, all employees are expected, to the best of their ability, to perform their duties honestly and faithfully. Employees shall not place themselves in positions that will cause them to act in any manner other than in the best interest of the public and the ~~school-d~~ District.

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

JOB DESCRIPTION

The ~~b~~Board of education shall establish such positions as necessary for the efficient and orderly operation of the school system. ~~The board of education and~~ shall prescribe the duties for all employees by ~~establishing~~ approving job descriptions, and organizational charts. ~~The Board, and~~ shall approve classifications of employees for compensation purposes.

Prior to the authorization of any personnel position in the District budget, the Superintendent, ~~collaborating with other District authorities with personnel assignment responsibilities,~~ shall develop, for Board approval, a job description which establishes all essential functions of the position. ~~There shall be written job descriptions for all employees of the Jefferson County Public School District.~~ There shall be a written job description for each employee of the District.

Job descriptions shall include:

- A descriptive title;
- Qualifications and competencies;
- A detailed explanation of performance responsibilities;
- Assignment to a Board adopted salary schedule and the number of days to be worked each year;
- Physical demands;
- Fair Labor Standards Act (FLSA) status – exempt or non-exempt;
- The immediate links to the chain of command, a statement identifying the supervisor and a statement identifying all the positions supervised by the employee holding the position or that the employee has no supervisees;
- A description of the alignment to staff appraisal instruments that reflect the competencies and responsibilities of the written job descriptions. The job description and related appraisal instruments should include the responsibility for the implementation of Board policies and District strategic priorities as well as the relationship of the position to professional development, and teaching and learning in the District. All job descriptions and related appraisal instruments should detail precise duties (performance and products) and expectations against which the employee will be evaluated and the time frame(s) when formal evaluations will be conducted;
- The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements; and
- The date approved or most recently revised.

Duties

The Superintendent shall conduct a periodic review of job descriptions to be sure they are accurate, complete, and consistent with the table of organization and include accountability for both the design and delivery of aligned written, taught, and tested curricula. The Superintendent shall recommend revisions to the Board for approval.

qualifications, performance responsibilities, salary schedule, and physical demands. It also shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.

Any person who is designated to be an acting administrator in the absence of the administrative head shall be identified in the job description or by written memorandum. In case of extended absences of the unit administrator, the ~~s~~Superintendent shall notify the ~~b~~Board of the action taken.

School employees, within the limitations of training and competency, may be assigned by the immediate supervisor/~~p~~Principal to such non-classroom duties as deemed necessary for the proper functioning of the schools, by the ~~Jefferson County Public School~~ District or its administrative staff. ~~These duties shall include, but not be limited to, the following:~~

- ~~1. bus duty~~
- ~~2. playground duty~~
- ~~3. cafeteria duty~~
- ~~4. chaperoning field trips~~
- ~~5. hall monitoring~~

INVESTIGATIONS

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

ACCOMMODATION

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

REFERENCES:

¹Americans With Disabilities Act (ADA); Rehabilitation Act of 1973

[KRS 158.645, KRS 158.6451, OAG 91-10](#)

P. L. 93-12 Sec. 504; P. L. 101-336

RELATED POLICIES:

03.113, 09.221

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Outside Employment or Activities****OUTSIDE EMPLOYMENT**

Employees shall not perform any duties related to an outside job during their regular working hours. In addition, Employees shall refrain from outside employment or activities that interfere with the proper discharge of their duties and obligations to the school-district. ~~Jefferson County Public School District employees shall be expected to give priority to all school/work related duties before engaging in any non-school employment. Such duties shall include~~ daily job responsibilities and/or attendance at any other job-related meetings or events.

PROFESSIONAL RESEARCH AND PUBLISHING

~~Professional research and publication by employees that involve local school information about students and staff and other reserved data shall be done with permission of the Superintendent/designee and shall reflect the confidentiality of records, school research, and/or other such pertinent information.~~

An employee must receive authorization from the Superintendent/designee to have access to or to utilize any school related information, school system records, or data from the school system in professional research or publishing. Such research and publishing shall maintain the confidentiality of student education records and staff information of a personal nature.

CONSULTING ACTIVITIES

Employees of the ~~Jefferson County Public School District~~ may not serve as consultants to outside public or private agencies, ~~public and/or private on school-district time.~~ Paid consultant work shall be done on the employee's own time or on vacation or personal leave days.

~~Programs and/or materials developed by the Jefferson County Public Schools District or on Jefferson County Public Schools District work time shall not be used in a consulting capacity unless approved by the Superintendent. Violation of this policy may result in disciplinary action, up to and including termination.~~

TUTORING FOR PAY

Unless it is approved in advance by the Board as part of a Board-approved program, no teacher shall:

- ~~No teacher shall receive compensation for tutoring a student currently enrolled in that teacher's class, unless as a part of a program approved by the Jefferson County Board of Education; or~~
- ~~No teacher shall tutor a student for pay on school property and/or no teacher shall utilize school materials in tutoring a student for pay, unless as a part of a program approved by the Jefferson County Board of Education.~~

USE OF DISTRICT PROGRAMS AND/OR MATERIALS

Programs and/or materials developed by the District, for use in the District or as part of an employee's job duties shall not be used in outside employment or in a consulting capacity unless approved by the Superintendent.

PERSONNEL

03.1331

- CERTIFIED PERSONNEL -

(CONTINUED)

Outside Employment or Activities

EXCEPTION

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties.¹

Violation of this policy may result in disciplinary action, including termination.

REFERENCES:

¹[KRS 61.394](#), [KRS 61.396](#)

[KRS 160.290](#)

[KRS 160.291](#) (4)

RELATED POLICIES:

[01.6](#)

03.122

03.1238

09.14

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Hours of Duty**

~~Good attendance is necessary and expected in order to maintain an efficient school system; therefore, the Jefferson County Public School District encourages~~ requires its employees to attend work daily as required by the employee's working calendar unless the employee is on an approved leave. ~~develop~~ have satisfactory attendance performance in pursuit of that the goal of regular attendance. All employees shall be apprised of this ~~goal~~ requirement and a plan for improving ~~staff~~ attendance shall be developed, as needed.

REGULAR HOURS

Certified employees shall be prompt in attendance and shall remain on duty as specified by school policy or their immediate supervisor.

~~Jefferson County Public School District~~ Certified employees shall adhere ~~and conform~~ to time schedules for duty hours applicable to their job classification, and to appropriate procedures for accounting for time and attendance as set by the ~~s~~ Superintendent.

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

ADDITIONAL HOURS

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

PARENT CONFERENCES

~~Teachers~~ Certified employees shall be available for conferences requested by parents. Reports to parents shall include provision for a parent or teacher request for a conference. Such conferences shall be scheduled at a mutually agreeable time to the extent possible. The ~~b~~ Board of education shall ~~endeavor~~ encourage to provide for parent-teacher conferences ~~be provided~~ within the school calendar.

REFERENCES:

KRS 160.290 (2)

KRS 158.060

OAG 77-718

OAG 65-179

OAG 55-37, 675

RELATED POLICY:

03.121

Adopted/Amended: 01/01/1900

Order #:

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

The ~~Jefferson County Public School District Board~~ shall provide every employee with **safe and healthful** working conditions and tools which adhere to standards and regulations set by the Occupational Safety and Health Act, Kentucky Occupational Safety and Health Act, and Environmental Protection Agency requirements. Where safety and health requirements of a particular job mandate specific action on the part of the employee (e.g., annual health examinations), procedures to ensure that such action takes place shall be developed under the direction of the ~~s~~Superintendent.

Each school administrator shall document all accidents and any loss of time for students and employees on proper accident report forms. The appropriate director shall review the reports in order to monitor the system-wide accident prevention program.

Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

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

HAZARD COMMUNICATION PLAN

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

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

Health and Safety**BLOODBORNE PATHOGEN CONTROL**

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

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

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

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

LOCKOUT/TAGOUT

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

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

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

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

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

REFERENCES:

- ¹[401 KAR 058:010](#), 40 C.F.R. Part 763
Kentucky Department for Public Health
Centers for Disease Control and Prevention
Kentucky Labor Cabinet, [803 KAR 002:308](#), [803 KAR 002:404](#), [803 KAR 002:500](#)
OSHA 29 CFR 1910
132 PPE Hazard Assessment
147 Lockout/Tagout
1200 [Hazard Communication](#)
1030 [Bloodborne Pathogens](#)

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Personnel Records**

~~The Jefferson County Public School District shall maintain files on individual employees and shall permit employees to examine the contents of the personnel files, in the presence of appropriate District personnel.~~

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

The ~~d~~District shall grant ~~reasonable~~ requests from the employee for copies of the contents of his/her personnel file, for which a reasonable charge may be established. ~~Recommendations and references obtained prior to employment and references obtained for promotions shall remain confidential and may not be examined by the employee. The confidential section shall be removed from the file prior to employee's examination of said contents.~~

The employee shall be notified when any material is added to the personnel file. ~~No anonymous material shall be placed in personnel files.~~ All material placed in the file shall be job-related.

The employee shall have the right to furnish a written response to any material filed, and that document shall be reviewed by the appropriate administrator and entered into the employee's record. The employee shall have the right to request an amendment to records maintained by the district, subject to procedures established by the ~~s~~Superintendent.

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

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

PUBLIC INSPECTION

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, ~~or portions otherwise exempt from disclosure by law,~~ are not open for public inspection.³

MEDICAL INFORMATION

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

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

PERSONNEL

03.15

- CERTIFIED PERSONNEL -

(CONTINUED)

Personnel Records

REFERENCES:

¹[KRS 61.884](#)

²[KRS 61.876](#)

³[KRS 61.878](#)

⁴Genetic Information Nondiscrimination Act of 2008

[KRS 161.151](#); [KRS 61.870](#), [KRS 61.872](#), [KRS 61.874](#)

[704 KAR 003:345](#)

[OAG 77-394](#), [OAG 85-109](#), [OAG 86-15](#), [OAG 89-90](#), [OAG 91-161](#), [OAG 91-176](#)

Kentucky Education Technology System (KETS)

[Records Retention/Public School District Schedule](#)

Americans with Disabilities Act of 1990 (P.L. 101-336), 42 U.S.C. 12112

RELATED POLICIES:

01.6,

03.111

10.11

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Grievances**

The ~~Jefferson County Public School~~ District shall guarantee-provide due process to employees for complaints and grievances concerning employment.

PROCEDURES

A grievance process shall be provided through negotiated agreements with recognized employee organizations. All e~~Employees of the Jefferson County Public School District shall be informed of approved lines of communication. All employees and shall make every reasonable effort to follow these lines of communication in carrying out their duties.~~

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

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

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

General Grievances

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

Personnel Issues

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

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

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

Exception

Harassment/Discrimination allegations ~~shall~~may be ~~governed by~~addressed under Policy 03.162.

REFERENCE:

OAG 78-204

RELATED POLICY:

03.162

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -

Termination Discipline/Nonrenewal/Separation Resignation by Employee**TERMINATION AND NONRENEWAL**

The Superintendent shall exercise his/her power and authority to terminate or non-renew any employment contract in accordance with the limits set by law. The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15. Non-renewal of limited contracts of certified personnel shall be made no later than May 15, in compliance with the requirements of KRS 161.750. The Superintendent shall, at the first meeting following the actions, notify the Board of terminations or non-renewals. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The termination of certified ~~staff~~ employment contracts shall be governed by the provisions of KRS 161.790. ~~The non-renewal of certified staff on limited contracts shall be governed by the provisions of KRS 161.750. A certified employee may be terminated for the following reasons:~~

1. Insubordination;
2. Immoral character or conduct unbecoming a teacher which may include being convicted of or entering an "Alford" plea or plea of nolo contendere to crimes related- including, but not limited to sexual misconduct, drugs, alcohol, violent crime, crimes involving moral turpitude, illegal transaction with a minor or any felony offense;
3. Physical or mental disability; or
4. Inefficiency, incompetency, or neglect of duty.

Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.¹

The ~~s~~Superintendent shall develop procedures to afford employees due process as required by law.

ALTERNATIVES TO TERMINATION/OTHER DISCIPLINARY ACTION

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

The Superintendent may suspend a certified employee without pay. Such suspension shall not be effective prior to receipt of written notice of the action by the employee from the Superintendent. At the first meeting following the action, the Superintendent shall notify the Board of the action taken.² An employee may also be issued a public or private reprimand.

RESIGNATION

In compliance with KRS 161.780, ~~The~~ ~~s~~Superintendent may accept resignations submitted to the ~~Jefferson County Public School~~ District by its employees. This action by the ~~s~~Superintendent shall be subject only to notification of the ~~b~~Board of education.

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

TerminationDiscipline/Nonrenewal/SeperationResignation by Employee**CODE OF ETHICS**

The Professional Code of Ethics for Kentucky School Certified Personnel provides that:

Section 1. Certified personnel in the Commonwealth:

(1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;

(2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;

(3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession:

(a) To students:

1. Shall provide students with professional education services in a nondiscriminatory manner and in consonance with accepted best practice known to the educator;

2. Shall respect the constitutional rights of all students;

3. Shall take reasonable measures to protect the health, safety, and emotional well-being of students;

4. Shall not use professional relationships or authority with students for personal advantage;

5. Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

6. Shall not knowingly make false or malicious statements about students or colleagues;

7. Shall refrain from subjecting students to embarrassment or disparagement; and

8. Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.

(b) To parents:

1. Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student;

2. Shall endeavor to understand community cultures and diverse home environments of students;

3. Shall not knowingly distort or misrepresent facts concerning educational issues;

4. Shall distinguish between personal views and the views of the employing educational agency;

5. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others;

6. Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities; and

7. Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

(c) To the education profession:

1. Shall exemplify behaviors which maintain the dignity and integrity of the profession;

- CERTIFIED PERSONNEL -

(CONTINUED)

2. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law;
4. Shall not use coercive means or give special treatment in order to influence professional decisions;
5. Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications; and
6. Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

Section 2. Violation of this administrative regulation may result in cause to initiate proceedings for revocation or suspension of Kentucky certification as provided in KRS 161.120 and 704 KAR 20:585.³

CODE OF ETHICS

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

REPORTING TO EPSB

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

REFERENCES:

¹KRS 161.790

²KRS 160.390

³16 KAR 1:020

KRS 161.120; KRS 161.750; KRS 161.780

~~016 KAR 001:020 (Code of Ethics)~~

Consolidated Omnibus Budget Reconciliation Act

701 KAR 005:090

OAG 83-362; OAG 92-135

RELATED POLICY:

03.172

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Reduction in Force**

When, by reasons noted in KRS 161.800,¹ it becomes necessary to reduce the number of certified personnel, the Superintendent shall do so in compliance with the statute. The Superintendent, at the first meeting following the reduction in force, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

~~When If it becomes necessary to reduce the work force, the Jefferson County Public School District shall make such reductions in the following order:~~

- ~~1. Those on temporary status having least seniority within the job category affected.~~
- ~~2. Those on probationary status having the least seniority within the job category affected.~~
- ~~3. Those on permanent status having the least seniority within the job category affected.~~

~~Before vacant positions are filled by new applicants within a job category, employees who were terminated non-renewed shall have the restoration be considered for staffing such vacancies within the job category in the following order:~~

- ~~1. Those on permanent status having greater seniority within the job category affected.~~
- ~~2. Those on probationary status having greater seniority within the job category affected.~~
- ~~3. Those on temporary status having greater seniority within the job category affected.~~

~~Seniority shall be computed from the first compensable day of employment as a permanent employee in the Jefferson County Public School District following last break in service, if any. For purposes of effecting reduction in force, seniority shall be computed from an employee's first compensable day as a probationary, or permanent full-time employee whichever is applicable within the job category affected. In the event that more than one (1) employee subject to reduction in staff are affected by employees having the same seniority date, tie breakers will be utilized.~~

~~No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.~~

~~While the employee is subject to reduction in force, the employee will have the option at his/her expense to remain an active participant in all bBoard and state paid fringe benefit programs to the extent they are available to the employee from the carriers.~~

REFERENCES:

¹KRS 161.800
OAG 82-135
OAG 80-150

RELATED POLICY:

03.1212

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Conflict of Interests**

~~In complying with this policy, employees shall strictly adhere to the provisions of KRS 45A.455, Conflicts of Interest—Gratuities and Kickbacks—Use of Confidential Information, and KRS 156.480(2). Employees of School District with Decision-Making Authority Prohibited from Supplying Goods or Services for Which School Funds are Expended.~~

PECUNIARY INTEREST PROHIBITED

No employee of the ~~Jefferson County Public School~~ District shall ~~(1) violate any of the standards of ethical conduct applicable to such employee, as stated in the Procurement Regulations issued by the Jefferson County Board of Education, or (2) if they have~~

~~No employee of the District with decision-making authority over the financial position of the school District, shall have a financial~~ any pecuniary interest, directly or indirectly, in an amount exceeding \$25.00 per year, in supplying to ~~the or purchasing from the school d~~ District any books, stationery or any other goods, services, property, ~~perishables, materials, supplies, equipment or services or merchandise~~ for which school funds are ~~or were~~ expended, except ~~(a) personal services that are in addition to those required by such employee's contract for employment, or (b) goods or merchandise sold by competitive bid or at public auction.~~ Nor shall any ~~such person~~ employee receive, directly or indirectly, any gift, reward, or promise of reward for ~~such employee's influence in recommending or procuring the use by the District of any~~ goods, services, property, or merchandise of any kind for which school funds are expended.⁺

~~No employee of the District with procurement authority shall participate in any proceeding or application, request for ruling or determination, claim or controversy, or other matter pertaining to any existing Board contract, or any solicitation or proposal for any proposed Board contract, if (1) he or she or any member of his or her immediate family has or will have a financial interest in such contract; (2) a business or organization in which he or she or any member of his or her immediate family has a financial interest in or will be a party to such contract; or (3) any other person, business or organization with whom he or she or any member of his or her immediate family is negotiating or has an arrangement concerning prospective employment is or will be a party to such contract.~~

~~No administrator or other employee of the District shall solicit for personal financial remuneration from students, parents and/or other staff employees of the District during the school day or during school events an after-school event, if such employee has a pecuniary interest, directly or indirectly, in the proceeds from such solicitation.~~

~~Unless a prior arrangements are written agreement is made with the Board, any device, publication design, writing, composition, artwork or any other item to be copyrighted/work that is developed by a District employee during the such employee's paid time that may be the subject of a patent, copyright, trademark or trade secret shall be District property.~~

~~Employees~~ No District employee shall ~~not obtain a profit monetarily through directly or indirectly, from the~~ use of confidential information gained in the course of or by reason of ~~their such employee's~~ position of employment with the District.

EXCEPTION

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

PERSONNEL

03.1721

- CERTIFIED PERSONNEL -

Conflict of Interests

REFERENCES:

| [†][KRS 156.480](#)
[KRS 45A.455](#)
[OAG 77-228](#)
[OAG 71-474](#)

Adopted/Amended: 01/01/1900

Order #:

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

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

The ~~s~~Superintendent may ~~immediately~~ reinstate personnel upon receipt of information which the ~~s~~Superintendent believes justifies reinstatement. The ~~s~~Superintendent shall notify the ~~b~~Board ~~of education~~ at the next meeting following the reinstatement.

REFERENCES:

[KRS 161.790](#)

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

RELATED POLICIES:

03.172

03.173

Adopted/Amended: 01/01/1900

Order #:

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

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

NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than ~~two~~four (24) weeks prior to retirement.

RESPONSIBILITY

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

UNUSED SICK DAYS

The Board shall compensate certified employees only upon initial retirement ~~from the District, or their estate,~~ for each unused sick day at the rate of thirty percent (30%) of the daily salary. The maximum number of days on which this calculation shall be based will be the current balance of unused sick days at ~~the~~ time of retirement or the balance as of thirty (30) years of employment, whichever is less. This calculation shall be based on the employee's last annual salary. For personnel who begin employment ~~with a local school district~~ on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days.¹

The District shall provide compensation for unused sick leave days ~~at the rate of thirty percent (30%) of the employee's daily rate~~ when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the Kentucky Teachers' Retirement System. ~~Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.~~

ESCROW ACCOUNT

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

REFERENCES:

¹[KRS 161.155](#)
[KRS 161.220](#); [KRS 161.540](#)
[KRS 161.545](#); [KRS 161.555](#)
[KRS 161.560](#); [KRS 161.600](#)
[OAG 81-1](#), [OAG 83-191](#), [OAG 97-28](#)
29 U.S.C. 631

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Staff Meetings and Professional Development**

The ~~Jefferson County Public School District Board~~ expects all employees to participate in meetings or activities ~~which are~~ designed to increase their skills and competencies or to contribute to their professional growth ~~or to provide information. Accordingly, The Jefferson County Public School District shall provide development opportunities for its employees to develop their skills and to receive training necessary for performance of duties as required.~~

~~In service shall be provided for the specific purpose of involving local school staffs, individually or in cooperation with other schools, in planning and executing professional growth activities. Development opportunities shall be provided for all staff members.~~

STAFF ORIENTATION

The ~~Jefferson County Public School~~ District shall provide orientation for all new and/or selected personnel at the beginning of the school year. The orientation shall provide information and activities to enhance effective job performance. Orientation may be held at other times as necessary.

PROFESSIONAL DEVELOPMENT PROGRAM TO BE PROVIDED

The Board shall provide for its instructional and administrative staff an efficient, systematic and high-quality professional development (PD) program. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

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

DISTRICT-WIDE PLAN

The program shall be based on a Board-approved PD plan for the District, which is designed (1) to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451; (2) to support the District's mission, goals and assessed needs; and (3) to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans. The PD plan shall reflect individual needs of schools and shall be aligned with the school/District improvement plan and teacher growth plans.

SCHOOL RESPONSIBILITIES

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

DOCUMENTATION

The school/District PD plan shall include the method for evaluating each professional development experience for its impact on student learning and for improving professional development initiatives.

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

PERSONNEL

03.19
(CONTINUED)

Staff Meetings and Professional Development

REFERENCES:

[704 KAR 003:035](#)

[704 KAR 003:325](#)

[KRS 156.095](#)

[KRS 156.553](#)

[KRS 158.070](#)

[KRS 160.345](#)

RELATED POLICY:

03.1911

Adopted/Amended: 01/01/1900
Order #:

- CERTIFIED PERSONNEL -**Professional Meetings****DEFINITION**

Professional meeting shall refer to any meeting that is not included in the school/District professional development plan and that relates to the condition, improvement and/or operation of the schools or any meeting held by a professional education organization, which specifically addresses job efficiency, safety or performance.

AUTHORIZATION TO ATTEND

~~Jefferson County Public School~~ District employees may apply for and be granted a leave of absence for the purpose of attending authorized professional meetings, conferences and workshops outside the ~~d~~District which are adjudged to be in the interest of the ~~d~~District. ~~Administrative procedures may cover assignment, payment of expenses, waiving of salary deductions and/or other pertinent b~~Board requirements~~adopted pertinent matters.~~

Employees shall obtain prior authorization to attend professional meetings as specified by council policy and District procedures. The requesting employee shall submit a written application professional leave request to attend the meeting, with or without pay and/or expense reimbursement, to the Principal/immediate supervisor, who shall forward approved requests to the Superintendent/designee.

Approval of the Superintendent/designee shall be contingent on:

1. Whether the meeting meets the definition established by this policy;
2. Skills required by the employee's job description or goals of his/her growth plan; and
3. Availability of funds and substitutes.

Temporary, seasonal and substitute employees are not eligible for conference/workshop leave to attend professional meetings unless approved by the ~~s~~Superintendent/designee.

EXPENSES

Payment of allowable expenses of individuals attending such meetings and the cost of necessary substitutes may be made upon approval of the appropriate authority.

REFERENCES:

[KRS 156.190](#), [KRS 156.095](#), [KRS 160.345](#), [KRS 160.410](#)
[702 KAR 003:246](#)

RELATED POLICIES:

03.125
03.19

Adopted/Amended: 01/01/1900
Order #:

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

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

REQUIRED HOURS

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

PROBATION

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

REFERENCES:

¹[KRS 156.101](#)

²[704 KAR 003:325](#)

[704 KAR 003:035](#)

Adopted/Amended: 01/01/1900

Order #:

- CERTIFIED PERSONNEL -**Professional Organizations**

The ~~bB~~oard ~~of education~~ and the ~~sS~~uperintendent ~~shall~~ encourage membership of personnel in organizations conducive to professional growth and development of the individual, ~~and the system.~~ However, membership in professional organizations is an individual professional matter, and the choice should be made independently by the individual employee. Membership or participation in professional organizations shall not be considered a part of an employee's job duties unless approved in writing by the Superintendent.

The ~~bB~~oard ~~of education~~ and the ~~sS~~uperintendent shall work with professional organizations in a cooperative manner in order to ensure the best interests of the students.

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Hiring**

~~It is the goal of the Jefferson County Public School District to employ qualified personnel for all positions to establish fair and equitable procedures for transfers and promotions within the system; and to provide, to the extent possible, working conditions and resources to enable each employee to perform to the greatest potential within the employee's assigned position.~~

SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following ~~thesuch~~ actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. ~~Applicants for positions shall be employed by the sSuperintendent subject to the notification of the bBoard of education.~~

The ~~s~~Superintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent.

PRE-EMPLOYMENT INQUIRIES

Pre-employment inquiries ~~may~~ include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations, ~~where applicable~~. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be ~~kept in strict confidence-confidential as to the extent permitted by law~~, but shall be considered in determining employment status.

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.¹ & ²

Each application or renewal form provided applicants for a classified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT. UNDER CERTAIN CIRCUMSTANCES, A NATIONAL CRIMINAL HISTORY BACKGROUND CHECK MAY BE REQUIRED AS A CONDITION OF EMPLOYMENT".¹

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

~~Applicants convicted of or pleading guilty to sexual or drug offenses or any felony offense shall not be employed. Any costs of requesting and obtaining records checks will be paid by the applicant.~~

~~Sexual offenses include a violation or attempted violation of Rape (1st, 2nd and 3rd degree), Sodomy (1st, 2nd, 3rd and 4th degree), Sexual Abuse (1st, 2nd and 3rd degree), Sexual Misconduct, Indecent Exposure, Prostitution, Promoting Prostitution (1st, 2nd and 3rd degree), Incest, Use of a Minor in a Sexual Performance, Promoting a Sexual Performance by a Minor, Promoting Sale of Material Portraying a Sexual Performance by a Minor, Advertising Material Portraying a Sexual Performance by a Minor, Using Minors to Distribute Material Portraying a Sexual Performance by a Minor, and such other sex crimes as defined by Kentucky Revised Statutes 17.160 and 17.165.~~

~~Drug offenses include a violation of Unlawful Trafficking and/or Unlawful Possession of Narcotics and Non-narcotics included in the Kentucky Controlled Substances Act, Kentucky Revised Statutes Chapter 218A and Kentucky Administrative Regulations, Title 902.~~

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or GED certificate or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a certificate of high school equivalency. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

~~☐ Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds~~ ☐ All paraprofessionals shall satisfy educational requirements specified by federal law.⁴

VACANCIES POSTED JOB REGISTER

A job register listing vacancies to be filled shall be posted on the ~~d~~District's website, ~~and shall be available in hard copy as needed. The job register shall list all current staff vacancies as they occur and shall include qualifications for the position, a description of job duties, and d~~District employment policies.

Vacancies Posted

~~Employment openings shall be posted in each school building on a timely basis with reference to the central office job register for additional information.~~ Vacancies may also be posted and advertised outside the District.

REVIEW OF APPLICATIONS

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

References are required on applicants for all positions and will be carefully reviewed as part of the employment decision.

Hiring

RELATIONSHIPS

All applications shall require a response concerning the relationship as defined in KRS 160.180 and KRS 160.380 of each applicant to the Superintendent, other District employees or a Board member. The hiring of relatives of the Superintendent, Board members and principals of the District is subject to the restrictions provided in KRS 160.180 and KRS 160.380.

References are required on applicants for all positions and will be carefully reviewed as part of the employment decision.

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

The Superintendent shall not employ a relative of a ~~member of the Board~~ member as defined in KRS 160.380 unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.

No employee may use his/her employment status to influence the employment in the Jefferson County School District of a relative which is defined as the employee's father, mother, brother, sister, husband, wife, son, daughter, grandparent, aunt, uncle, niece, nephew, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, or brother-in-law. ~~Employees shall not be assigned to a school, office, or unit where an employee must be directly or indirectly supervised or evaluated by a relative. If such a situation occurs, or may potentially occur through hire, transfer, marriage or other arrangement, the employee(s) must notify the Human Resources Department. The Superintendent shall make a final determination as to the appropriate action to be taken.~~

No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of such employee to be a supervisor of such employee. For purposes of this policy, a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. This policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this policy.

~~The Superintendent shall develop procedures to implement this policy for all personnel assignments.~~

~~Any violation of this policy nepotism provision may shall result in disciplinary action.~~

EMERGENCY HIRING

The ~~s~~Superintendent shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.

JOB DESCRIPTION

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

Hiring

CONTRACT

The ~~Jefferson County Public School~~ District shall enter into written contracts with all regular full-time and part-time classified staff.

JOB SHARING

~~Jefferson County Public School~~ District employees may be permitted to participate in a job sharing program in accordance with procedures established by the ~~s~~Superintendent. However, ~~i~~nitial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job sharing program.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

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

REFERENCES:

¹[KRS 160.380](#)

²[702 KAR 005:080](#)

³[KRS 161.011](#)

⁴P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.58-200.59

[KRS 17.160](#), [KRS 17.165](#); [KRS 156.070](#)

[KRS 160.345](#); [KRS 160.390](#); [KRS 335B.020](#); [KRS 405.435](#)

[OAG 91-10](#), [OAG 91-149](#), [OAG 91-206](#)

[OAG 92-1](#), [OAG 92-59](#), [OAG 92-78](#), [OAG 92-131](#), [OAG 97-6](#)

Kentucky Local District Classification Plan; [785 KAR 001:110](#)

[Records Retention/Public School District Schedule](#)

RELATED POLICIES:

01.11, 02.4244, 03.232, 03.27, 03.5, 06.221

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Medical Examination**

Through appropriate personnel documents, such as handbooks and/or job applications, employees shall be notified as to who will pay for medical examinations required for initial employment.

BUS DRIVERS

As a condition of employment, each school bus driver, including substitute drivers, shall pass a medical examination on initial employment and each year thereafter in accordance with 702 KAR 5:080.

Before being allowed to drive a bus, the driver must be free of any medical condition which could endanger the health or safety of students in the performance of duties.

OTHER NEWLY EMPLOYED CLASSIFIED PERSONNEL

As a condition of initial employment, all classified employees (except bus drivers), including substitute employees, shall pass a medical examination as indicated in ~~704 KAR 004:020702~~ KAR 1:160. The examination shall be provided by a licensed physician, physician assistant (PA), or advanced registered nurse practitioner designated by the Board. If the employee elects to be examined by a private practitioner, the cost of examination shall be borne by the employee.¹

REPORT REQUIREMENTS

Unless a new employee is hired after the beginning of the school year, examinations shall be conducted prior to August 1 of the school year in which the person is employed.

Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted.

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

TUBERCULOSIS SCREENING/TESTING

~~Each employee of the Jefferson County Public School District shall be required to have a TB examination upon initial employment.~~

Each medical examination shall include a risk assessment for tuberculosis as required by Kentucky Administrative Regulation. Evidence of such tests shall be kept on file. Individuals identified by that assessment as being at high risk for TB shall be required to undergo a tuberculin skin test as required by 702 KAR 1:160. A person who tests positive for TB shall be required to comply with the directives of the local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the tuberculosis infection.^{1, 2 & 3}

~~The District may require an employee to submit to additional medical examinations.~~

Medical Examination**REQUIRED EXAMINATION FOR PRESENT PERSONNEL**

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing. The Board shall bear the cost of this examination.³

SCHOOL TO REPORT

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

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

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

REFERENCES:

¹[KRS 161.145; 702 KAR 005:080](#)

²[704 KAR 004:020, 902 KAR 002:020](#)

[OAG 91-1; OAG 92-131](#)

[Genetic Information Nondiscrimination Act of 2008](#)

RELATED POLICIES:

³03.2234

03.24

Adopted/Amended: 01/01/1900

Order #:

-CLASSIFIED PERSONNEL-**Compensation and Benefits****ESTABLISHMENT**

The Board shall ~~annually~~ establish annual salary schedules for salaries and employee benefits for all classified personnel.

Insurance and other fringe benefits shall be provided to employees of the ~~Jefferson County Public School~~ District as recommended by the ~~s~~Superintendent. This may include state and ~~d~~District paid ~~fringe and~~ insurance plans, as well as optional employee-paid programs.

COBRA

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

REFERENCES:

- ¹Consolidated Omnibus Budget Reconciliation Act
26 CFR Part 1
[KRS 160.290](#) (1)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Salaries**

The Board ~~of education~~ shall ~~establish~~approve salary schedules for all employees based on job qualifications, duties, and responsibilities for each position.

HOURLY OR SALARY BASIS

All regular and substitute classified personnel shall be 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 be Saturday – Friday and shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy.

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.

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 compliance with the Salary Placement Procedures.

LIST OF SALARIES

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

PAYROLL DISTRIBUTION

~~All e~~Employees shall be paid according to a schedule approved annually by the Board ~~every two weeks on the calendar approved by the board of education.~~

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.

EXTRA SERVICES, AND SUPPLEMENTARY PAY AND SUPERVISION

The Board shall ~~annually establish~~approve a schedule of compensation for extra services, ~~hazardous duty supplements and supervision, or positions where justified for added responsibilities. In such cases the job descriptions must reflect added responsibilities and must have prior approval of the b~~Board of education.

SENIORITY

Seniority shall be computed from the first compensable day of employment as a permanent employee in the ~~Jefferson County Public School~~ District following the last break in service, if any.

PERSONNEL

03.221
(CONTINUED)

- CLASSIFIED PERSONNEL -

Salaries

OVERTIME

Approved overtime for hourly employees over forty (40) hours shall be paid at one and one-half (1 ½) times the normal hourly rate of pay as authorized.

REFERENCES:

[KRS 78.615; KRS 160.291; KRS 161.011](#)

[KRS 337.285, KRS 424.220](#)

[803 KAR 001:060, 803 KAR 001:070](#)

Fair Labor Standards Act

[Garcia v. San Antonio Metropolitan Transit Authority](#), 105 S.Ct. 1005 (1985)

RELATED POLICY:

03.2211

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Salary Deductions**

~~Payroll deductions may be made when properly authorized by an employee or group of employees, including but not limited to the following:~~

~~— Voluntary Insurance Plans:~~

- ~~• Hospitalization~~
- ~~• Income Protection~~
- ~~• Life~~
- ~~• Legal Services~~
- ~~• Tax Sheltered Annuity~~
- ~~• Mutual Fund~~
- ~~• Homeowners~~
- ~~• Automobile~~
- ~~• Accidental Death and Disability~~

~~U. S. Savings Bond~~

- ~~— Credit Union~~
- ~~— Organization or Union Dues~~

~~— Voluntary Contributions:~~

- ~~• Metro United Way~~
- ~~• Fund for the Arts~~
- ~~• United Negro College Fund~~
- ~~• Crusade for Children~~

~~TAX SHELTER ANNUITY/DEFERRED COMPENSATION PROGRAMS~~

~~The Jefferson County Public School District shall make available, to its employees, the means whereby tax sheltered annuities may be purchased and compensation may be deferred through payroll deductions.~~

~~The payroll deductions for tax sheltered annuities and deferred compensation plans shall comply with all applicable legal requirements, including the Internal Revenue Code, of 1954, as amended, and as provided in KRS 161.158, and KRS 18A.230. The payroll deductions for deferred compensation plans shall comply with the Internal Revenue code of 1954, as amended, and as provided for in KRS 161.158 (2) and (3) and KRS 18A.230 through 18A.350.~~

~~Tax sheltered annuity plans shall be approved by the sSuperintendent and the bBoard.~~

MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational taxes, when applicable;
3. The County Employees' Retirement System or the Kentucky Teachers' Retirement System of the State of Kentucky;
4. Union dues;
- 4.5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.;
and

Salary Deductions

6. Medicare (FICA) - applicable to personnel enrolled in the Kentucky Teachers' Retirement System newly hired after 3/31/86; and all employees enrolled in the County Employees' Retirement System.

OPTIONAL DEDUCTIONS

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

1. Board approved Tax Sheltered Annuity programs;
2. Board approved Mutual Fund programs;
3. Board approved voluntary insurance plans;
4. Class Act Federal Credit Union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Optional Membership dues for professional organizations or Unions;
7. Charitable contributions for Metro United Way, Fund for the Arts, United Negro College Fund or Crusade for Children.

No other payroll deductions shall be made unless authorized by the Board.

SIGNED REQUEST REQUIRED

No optional payroll deduction, authorized by the Board, shall be deducted from an individual employee's salary without a signed request from that employee affirmatively requesting the optional deduction. Such request must be filed ~~on an annual basis~~ on forms to be developed by the Superintendent. The Superintendent shall develop the manner and time for filing such requests.

CHANGES IN DEDUCTIONS

Designated payroll deductions shall remain in effect for the scheduled deduction period until a change or cancellation notice is received in the payroll department. Upon receipt of such notice, the payroll officer will put into effect such changes on the next appropriate scheduled pay date, unless contrary to state or federal regulations.

REFERENCES:

KRS 18A.230, KRS 161.158, KRS 160.291
702 KAR 001:035, OAG 72-802

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Holidays and Vacation Leave****HOLIDAYS**

~~Holidays will be designated~~ All classified employees who work 208/209 days per year (4 days per week/10 hours per day) shall be paid for seven (7) holidays. All other classified employees who work less than 260 days per year shall be paid for four (4) holidays. All classified employees who work 260/261/262 days per year shall be paid for nine (9) holidays. These holidays shall be designated annually by the sSuperintendent, and approved by the bBoard of education and included in the annual-official school calendar.¹ These holidays are part of the school year required by state law.²

VACATION

~~Any p~~Permanent, full-time ~~12-month-classified~~ employees of the Jefferson County Public School District who work 260/261/262 days per year and permanent full-time classified employees who work 208/209 days per year (4 days per week/10 hours per day) shall ~~be granted~~earn paid vacation leave pursuant to the approved vacation leave procedures and shall be entitled to accumulate a maximum of ~~sixty-fourty~~ (6 40) days of vacation. Requests for vacation leave must be approved by the employee's supervisor who may deny such leave if the employee's absence will interrupt or impede the work program. Compensation for accrued vacation shall be made at the time of retirement at a rate not to exceed the daily salary rate calculated from the employee's last annual compensation.³

~~In the event of retirement, resignation, or termination, vacation shall be prorated and accrue on a monthly basis at the rate of 1/10 of the eligible vacation per month, not to exceed total vacation time available.~~

~~Recognition of annual leave for KTRS purposes shall be governed by applicable statutes and regulations. For an individual who became a member of KTRS on or after July 1, 2008, payment for annual or compensatory leave shall not be included in determining the member's last annual compensation.~~

EXCEPTION

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

CONTRACTED DAYS

Employees shall work the days specified in their contracts. Use of noncontracted days must be approved in advance by the Superintendent or the Superintendent's designee. Noncontracted days shall not accumulate.

REFERENCES:

¹[702 KAR 007:125](#)

²[KRS 158.070](#)

[KRS 160.291](#)

[KRS 161.154](#)

[KRS 2.110](#)

[KRS 2.190](#)

- CLASSIFIED PERSONNEL -**Leaves and Absences**

The ~~s~~Superintendent shall establish procedures for granting leaves of absence authorized by law/~~b~~Board policy.

APPROVAL

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. An absence from duty not associated with an approved leave shall be treated as job abandonment regardless of intent to return to work and may result in termination.

NOTIFICATION OF RETURN

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

LEAVE FOLLOWING ASSAULT

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

PLACEMENT UPON RETURN

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

FMLA

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

REFERENCES:

[KRS 156.026](#); [KRS 161.155](#)

Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Personal Leave**

~~Jefferson County Public School~~ District employees may be credited with paid personal leave which may be used at the employee's discretion ~~as per~~pursuant to procedures established by the ~~s~~Superintendent and any applicable negotiated agreement.

Except as expressly provided in negotiated labor agreements, part-time, temporary, seasonal, probationary and substitute employees and student workers are excluded from paid personal leave.

APPROVAL

Personal leave shall be approved by the employee's immediate supervisor or the appropriate administrator if the employee's absence will not interrupt or impede the work program or violate any applicable negotiated labor agreement ~~must approve the leave date.~~

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

No reasons shall be required for ~~the~~personal leave.

AFFIDAVIT

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

ACCUMULATION

Unused personal leave days ~~may~~shall be converted to sick leave at the end of each fiscal year.

REFERENCE:

[OAG 77-115](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Sick Leave**

Sick leave shall be granted to employees in accordance with the limits and restrictions set by law provided the employee has not exhausted the current and accumulated sick leave credit. Employees must be in active pay status or on an approved leave during their scheduled work year in order to utilize sick leave.

A new classified employee or a former employee rehired in a classified position shall not be paid for sick leave while serving in the ninety (90) day probationary period. A new classified employee or a former employee rehired in a classified position may be granted an unpaid leave for no more than ten (10) days while serving in the ninety (90) day probationary period, if a certificate of a physician covering the absence(s) is submitted. In the event the employee becomes a permanent employee, the employee will be considered to have earned one (1) day sick leave for each full month of employment retroactive to the date of employment. A permanent employee placed on probation for disciplinary reasons, shall be paid for any accumulated sick leave in the event of illness during this probationary period.

Part-time classified, temporary, seasonal and substitute employees and student workers shall be excluded from paid sick leave.

AFFIDAVIT

Except as provided above, Sick leave may be granted to an employee upon presentation of a personal affidavit or a certificate of a physician stating that the employee or member of employee's immediate family was ill on the day or days absent from duty and providing the employee has not exhausted the current and accumulated sick leave credit.¹

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to which the employee was entitled on the date of transfer to the District.

Sick Leave

SICK LEAVE DONATION PROGRAM

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

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

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

A sick leave donation program shall be established as required by law. The Superintendent shall establish procedures to implement this program.

Sick Leave Bank

Sick leave banks may be established as permitted by law.

REFERENCES:

[KRS 161.155](#)

[OAG 79-148](#)

[OAG 93-39](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322

03.2233

03.224

03.273

Adopted/Amended: 01/01/1900

Order #:

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

In compliance with the Family and Medical Leave Act of 1993, as amended (FMLA), and under procedures developed by the Superintendent eligible employees may take up to twelve (12) workweeks of unpaid family and medical leave each rolling 12 month period for the following reasons:

1. For the birth and care of an employee's newborn child within twelve (12) months of the birth or for the placement of a child with the employee for adoption or foster care within twelve (12) months of the placement;
2. To care for the employee's spouse, son, daughter child, or parent who has a serious health condition, as defined by federal law;
3. For an the employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the functions of his/her job;
4. To address a qualifying exigency (need) defined by federal regulation arising from 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 a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties 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.

~~If both husband and wife are District employees, they may take a combined total of up to 12 workweeks of leave under paragraphs 1, 2 and 3 above.~~

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a ~~health care provider's certification, when such a request is permitted by federal regulations~~ 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 a certification of healthcare provider form submitted in support of a family and medical leave request about which there are questions. The employee's direct supervisor shall not contact the provider.

Family and Medical Leave

- 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). When leave is needed for planned medical treatment, the employee must consult with the District about the leave schedule.

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

~~Employees shall provide 30 days advance notice when the need for leave is foreseeable; otherwise, employees shall provide notice as soon as practicable. When leave is needed for planned medical treatment, the employee must consult with the District about the leave schedule.~~

ELIGIBILITY

Employees are eligible for FMLA leave if they have been employed by the District for twelve (12) months, and 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.

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.

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.

~~An employee may take up to 26 workweeks of unpaid leave during a single 12-month period to care for the employee's spouse, child, parent or next of kin who incurred a serious injury or illness while on active duty in the Armed Forces. If both husband and wife are District employees, they may take a combined total of up to 26 workweeks of leave.~~

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

Leave that is taken by an eligible employee for any of the above-designated reasons shall be counted as FMLA-family and medical leave, even if the employee does not request leave under the FMLA. If an employee is entitled to paid leave under any Kentucky statute, other District policy, or collective bargaining agreement, the employee may elect to substitute the paid leave for unpaid FMLA leave, and the paid leave shall run concurrently with the FMLA leave.

~~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, w~~ 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 family and medical leave entitlement.

Family and Medical Leave

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.

RESTRICTIONS (CONTINUED)

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

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

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

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

INTERMITTENT LEAVE/REDUCED HOURS

~~Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis. Leave may be taken intermittently or on a reduced leave schedule when medically necessary~~ for a serious health condition of the employee or a family member. Intermittent leave or a reduced leave schedule may be taken for other reasons only at the District's discretion. The District may temporarily transfer an employee to an available alternative position or may alter an existing job to better accommodate intermittent or reduced schedule leave.

~~Special Limitations on Family and Medical Leave for Instructional Employees~~

~~When leave is taken near the end of a semester, the District may require an instructional employee to continue the leave to the end of the semester in accordance with federal regulations.~~ If intermittent leave or reduced schedule leave is requested for planned medical treatment, and if the leave would cover more than **twenty (20)** percent of the working days in the period of leave, the District may require the employee either to take leave for a period or periods not greater than the duration of the treatment, or to transfer temporarily to an alternative equivalent position which better accommodates such leave.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued before the leave began. Health insurance ~~for an employee on family and medical leave shall continue to be provided on the same terms as before the leave by the state on the same basis had the employee not taken leave.~~ Employees on leave shall pay their portion of health insurance premiums unless they choose to terminate health insurance. If an employee substitutes paid leave for **FMLA-family and medical** leave, the employee's portion of health insurance premiums will be paid by payroll deduction during the period of paid leave.

Family and Medical 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. ~~When leave is taken for an employee's own serious health condition and before the employee returns to work, the District may require a fitness-for-duty certification 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 ~~returned-entitled~~ to his/her same position (or a position with equivalent pay, benefits, and ~~terms and working conditions of employment~~); as determined by established District policies, practices and collective bargaining agreements. However, the employee has no greater right to reinstatement or benefits than if the employee had not taken any leave.

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.

MISCELLANEOUS

Except as set forth in this policy, the District reserves the right to exercise all discretion afforded to it under the FMLA and ~~the~~ federal regulations. This policy shall not expand eligibility for leave beyond what is required by federal law. To the extent that this policy fails to state any limitations or requirements set forth in the FMLA and federal regulations, such limitations or requirements shall apply. If greater rights are provided under any collective bargaining agreement, such rights shall apply.

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

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**MaternityChild Rearing/Adoption Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.42232. An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.42232.

Additional sick leave days may be used when the need is verified by a physician's statement.

~~Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for child rearing/adoption leave, except as provided by federal law.~~

UNPAID MATERNITYCHILD REARING/ADOPTION LEAVE

An employee of the ~~Jefferson County Public School~~ District may be granted upon written request an unpaid leave of absence for the purpose of fulfilling adoption requirements or for rearing the employee's pre-school child(ren).

A single child rearing/adoption leave may be granted for a period of no less than thirty (30) days and no more than two (2) consecutive school years or a major portion thereof. Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for child rearing/adoption leave, except as provided by federal law.

Employees on maternitychild rearing/adoption leave shall notify the Superintendent/designee in writing of their intent to return to the school system on or before the date prescribed in Policy 03.4223. Employees who fail to notify the Superintendent/designee of their return by the date prescribed in Policy 03.4223 cannot be guaranteed employment for the following school year.

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

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

REFERENCE:

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.223

03.2232

03.22322

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Extended-DisabilityMedical Leave**

This policy shall be applied in a manner consistent with policy 03.212 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

UNPAID LEAVE

~~An employee of the Jefferson County Public School District may be granted a medical leave upon written request.~~ Unpaid ~~disability~~medical leave may be granted by the Board, upon written request, for the remainder of the school year ~~when~~ever an employee has been advised by a physician that, for medical reasons, the employee will not be able to work. The written request shall include the "Certification of Health Care Provider" form completed by the attending physician.

An ~~medical-extended-disability~~medical leave of absence may be granted for a period of not more than two (2) consecutive years. At the end of the second year, if the employee is unable to return to work, he/she may request renewal. Such ~~a~~-renewal is subject to approval by the ~~b~~Board upon recommendation of the ~~s~~Superintendent.

An employee who qualifies for workers compensation payment while on ~~extended-disability~~medical leave directly resulting from an accident sustained in the course of fulfilling job responsibilities may receive service credit for the purpose of salary step placement.

Initial probationary, part-time classified, temporary, seasonal, and substitute employees and student workers shall not be eligible for ~~medical-extended-disability~~medical leave except for those qualifying for workers compensation payments directly resulting from accidents sustained in the course of fulfilling job responsibilities.

FMLA

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with Board Policy 03.22322.

VERIFICATION

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

NOTIFICATION OF RETURN

Employees on ~~extended-disability-medical~~ leave shall notify the Superintendent/~~designee~~ in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. ~~Failure to do so will render the position vacant. Employees who fail to notify the Superintendent/designee of their return by the date prescribed in Policy 03.223 cannot be guaranteed employment for the following school year.~~

PLACEMENT UPON RETURN

Employees taking ~~disability~~medical leave will, on return, be entitled to a comparable position for which they are qualified. Placement in the same position or the same building cannot be guaranteed. ~~Placement upon return shall be determined by the applicable collective bargaining agreement.~~

PERSONNEL

03.2234

- CLASSIFIED PERSONNEL -

(CONTINUED)

Extended Disability Medical Leave

INVOLUNTARY ~~DISABILITY~~ MEDICAL LEAVE

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

REFERENCES:

Consolidated Omnibus Budget Reconciliation Act
Family & Medical Leave Act of 1993
Americans with Disabilities Act of 1990

RELATED POLICIES:

03.211
03.212
03.223
03.22322

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Educational/Professional Leave****EDUCATIONAL/PROFESSIONAL LEAVE**

Long-term ~~staff development educational/professional~~ leave may be granted to employees of the ~~Jefferson County Public School~~ District for educational or professional purposes for a period of not more than two (2) consecutive years. The employee may request a renewal. Such a renewal is subject to approval by the ~~b~~B~~oard~~ upon recommendation of the ~~s~~S~~uperintendent~~.

When the leave is requested, the intended educational and/or professional ~~accomplishment purpose~~ of the leave shall be included with the request. Evidence of such educational/professional work must be presented upon return from leave. ~~Time spent on professional leave shall not count toward continuing contract status.~~

Initial probationary, part-time classified, temporary, seasonal and substitute employees and student workers are not eligible for staff development leave.

SHORT-TERM LEAVE

~~Upon recommendation of the Superintendent, the Board Leave~~ may granted ~~classified personnel short-term leave with pay~~ for the purpose of obtaining training to enhance the skills required in performing ~~their an employee's~~ job or to obtain training in anticipation of a different position with the school system.

STAFF VISITATIONS AND CONFERENCES

~~Jefferson County Public School~~ District employees may apply for and be granted a leave of absence ~~by the Superintendent/designee~~ for the purpose of attending professional meetings, conferences and workshops outside the ~~d~~D~~istrict~~ which are adjudged to be in the interest of the ~~d~~D~~istrict~~. Administrative procedures may cover assignment, payment of expenses, waiving of salary deductions and ~~or~~ other ~~board-adopted-pertinent-relevant~~ matters.

Payment of allowable expenses of individuals attending such meetings and the cost of necessary substitutes may be made upon approval of the appropriate authority.

LIMITATIONS

~~Initial probationary. P~~part-time classified, temporary, seasonal and substitute employees ~~and student workers~~ are not eligible for ~~conference/workshop-educational/professional~~ leave unless approved by the ~~s~~S~~uperintendent/designee~~.

NOTIFICATION OF RETURN

~~Employees on educational/professional leave shall notify the Superintendent/designee in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Employees who fail to notify the Superintendent/designee of their return by the date prescribed in Policy 03.223 cannot be guaranteed employment for the following school year.~~

PERSONNEL

03.2235

- CLASSIFIED PERSONNEL -

Educational/Professional Leave

PLACEMENT UPON RETURN

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

REFERENCE:

OAG 84-43

Adopted/Amended: 01/01/1900

Order #:

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

Full-time ~~certified~~classified employees shall be entitled to ~~E~~emergency leave, not to exceed two (2) days of leave with pay each school year, as perprocedures established by the ~~s~~Superintendent.

Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are excluded from emergency leave.

REASONS FOR LEAVE

Reasons for granting emergency leave may include the following:

BEREAVEMENT

1. Death or funeral of a relative by blood or marriage.

DISASTERS

2. Emergency situations resulting from natural disasters, such as flood, tornado, or primary dwelling fire. This applies only in cases not covered by sick leave.

COURT/LEGAL

~~Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See Policy 03.2237.)~~

OTHER

3. Such other reasons of an emergency or extraordinary nature as approved by the ~~s~~Superintendent/designee

REQUEST FOR LEAVE

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

AFFIDAVIT

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

ACCUMULATION

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

REFERENCES:

KRS 161.152; KRS 161.155(3); OAG 76-427; OAG 72-348

RELATED POLICIES:

03.2232

03.2237

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Court Appearances/Jury Leave****COURT APPEARANCES**

Employees of the ~~Jefferson County Public School~~ District who are legally required to appear in court or to be away from regular school duties for school-related legal obligations and who are not covered under any other leave policy shall be granted paid leave when such appearance is properly certified. The ~~d~~District may provide legal counsel to employees in any legal action taken against them in connection with the discharge of their duties when sanctioned by the ~~s~~Superintendent. The employee must, however, promptly deliver the original or copy of a summons, complaint, or other legal paper to the immediate supervisor. Such leave shall not be granted when the employee is a plaintiff or witness against the ~~b~~Board or its agents, or when the employee is a plaintiff in cases without the sanction of the ~~s~~Superintendent.

JURY DUTY

Any employee of the ~~Jefferson County Public School~~ District who serves on a jury shall be granted jury duty leave with regular pay, less any compensation received as jury pay. Any reimbursement for expenses may be retained by the employee.

NOTICE

~~Persons~~An employee who will be absent from work to serve on ~~juries~~jury duty must give advance notice to their immediate supervisors.

REFERENCES:

KRS 161.153

OAG 78-696

Adopted/Amended: 01/01/1900
Order #:

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

Military leave shall be granted to any employee of the ~~Jefferson County Public School~~ District pursuant to KRS 61.371-61.379 and 61.394.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or ~~of~~ the reserve corps of the United States Public Health Service shall be entitled to military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days **(no more than 15 work days)**. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

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

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

REFERENCES:

¹[KRS 61.373](#), [KRS 61.375](#), [KRS 61.377](#), [KRS 61.394](#), [KRS 61.396](#)

²[KRS 61.395](#)
[KRS 161.740](#) (3)
[702 KAR 003:070](#)
[OAG 76-316](#)
[OAG 74-258](#)
[OAG 82-305](#)

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.2239

- CLASSIFIED PERSONNEL -

Leave for Political Activities

Upon the recommendation of the Superintendent the board of education may grant any employee, upon written request, an unpaid leave for the purpose of engaging in political activities.

REFERENCES:

[KRS 160.291](#)

[KRS 161.164](#)

[KRS 161.990](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Insurance****INSURANCE**

~~The Board shall provide insurance and other fringe benefits shall be provided to District employees of the Jefferson County Public School District as recommended by the Superintendent. This may include state and district paid fringe and insurance plans as well as optional employee-paid programs.~~

~~The Jefferson County Public Schools District shall issue a master group policy with an insurance carrier, selected in compliance with prevailing state law, for accident coverage of students and all Board of education employees.~~

~~This group plan shall be offered as a public service, and enrollment shall be optional. Insurance enrollment material shall be distributed to all schools and offices at the beginning of the school year.~~

The Board shall provide unemployment insurance¹, worker's compensation², and liability insurance for all classified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.¹³

WORKERS' COMPENSATION

Employees who qualify for workers' compensation benefits following an assault and injury, while performing assigned duties, should refer to policy 03.223.

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

REFERENCES:

¹[KRS 341.050](#)

²[KRS 342.630](#)

¹³[702 KAR 001:035](#)

Consolidated Omnibus Budget Reconciliation Act

Kentucky Constitution (Section 3); [KRS 161.155](#); [KRS 342.730\(6\)](#)

RELATED POLICIES:

03.2211, 03.223, 03.22322, 03.2241, 03.24

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Workers' Compensation Payments****COORDINATION WITH SICK LEAVE**

~~Employees shall not be required to use sick leave in connection with a work-related injury. However, e~~Employees claiming workers' compensation income benefits who have sick leave available ~~may choose to~~ shall use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary. Employees with no accumulated sick leave shall be eligible for compensation as required by law.

EMPLOYEE ELECTION

~~In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.~~

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.2232

03.22322

- CLASSIFIED PERSONNEL -**Expense Reimbursement**

Provided the Superintendent/designee has authorized the expenditure, actual and Necessary expenses incurred by ~~Board~~ employees ~~of the board of education~~ in the performance of their official duties shall be reimbursed upon submission of claims filed under approved procedures. 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.

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/designee and the Council in SBDM schools will be reimbursed at the State mileage reimbursement rate in effect ~~at that time when the employee uses his/her own vehicle on July 1 of each fiscal year.~~

Travel vouchers shall be submitted within one (1) week month of the travel. Travel vouchers for travel during the month of June must be submitted by July 5.

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.

With prior Superintendent/designee approval, expenses such as airfare and hotel costs may be paid directly to the vendor. No other advances for anticipated expenses shall be made.

~~For further guidance on reimbursement for~~ The Superintendent shall post procedures for reimbursement of mileage and other authorized expenses, travel reimbursement guidelines and the use of vouchers ~~procedures are posted on the District web site.~~

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

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

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Assignment**

~~All employees of the Jefferson County Public School District shall be assigned by the superintendent subject to the notification of the board of education. The administration of the school system must be responsive to changing conditions.~~ The assignment of all classified personnel shall be made by the Superintendent and All assignments of employees shall be made in accordance with state law, Kentucky Administrative Regulations, and/or other legal agreements.¹ The Superintendent shall make all appointments, promotions, and transfers of classified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. The ~~s~~Superintendent may designate Personnel Services Human Resources to provide notice of assignment. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel only in positions for which they are qualified.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned unless the relative is not the spouse and was employed in that school during the 1989-90 school year. No spouse of a Principal shall be assigned to the school where the Principal is assigned unless the spouse was employed in the 1989-1990 school year and the District has no more than one (1) elementary school, one (1) middle school, and one (1) high school. A Principal's spouse employed in the Principal's school shall be evaluated by another school administrator.¹

~~Employees shall not be assigned to a school, office or unit where an employee must be directly supervised or evaluated by a relative as defined in 03.11. If such a situation occurs through hire, transfer, marriage or other arrangement, the employee(s) shall notify the Human Resources Department. The Superintendent shall make a final determination as to the appropriate action to be taken.~~

~~The curriculum of the Jefferson County Public School District shall include regular programs, special education programs, and optional schools/programs. The special characteristics and requirements of these programs shall be used to develop criteria for assigning teachers to programs/options within schools and program/schools within the dDistrict.~~

No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of such employee to be a supervisor of such employee. For purposes of this policy, a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. This policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this policy.

- CLASSIFIED PERSONNEL -

Assignment

The sSuperintendent shall provide for an orientation and/or workshop-type activity before the employee assumes the new responsibilities.

All assignments of employees shall be made in accordance with state law, Kentucky Administrative Regulations, and/or other legal agreements.

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

REFERENCES:

¹[KRS 160.380](#)

[KRS 160.390](#)

KRS 161.011

[OAG 91-28](#)

[OAG 92-1](#)

[OAG 92-135](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Transfer**

The ~~s~~Superintendent shall establish assignment and transfer procedures for effecting voluntary and involuntary transfer/reassignments which may be applied at the request of the employee or which may be initiated by the school ~~d~~District. All voluntary and involuntary transfers/reassignments shall be approved by the ~~s~~Superintendent.

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

EMPLOYEE REQUESTS

~~Jefferson County Public School~~ District employees may request and be considered for transfer within the same job classification from one work location to another and for reassignment from one (1) position/job classification to another at the same salary grade having the same level of responsibility ~~within the Jefferson County Public School District~~. A reassignment may be an intra-school or an intra-system action. The employee must request reassignments and transfers in writing. Such requests will be deemed to have been made on a voluntary basis and once a reassignment or transfer has been made there shall be no appeal. The employee shall meet the minimum qualifications of the job classification to which reassigned or transferred.

TEMPORARY DUTY

Any employee may be temporarily appointed or assigned by the ~~s~~Superintendent to duties other than the employee's regular duties subject to the notification of the ~~b~~Board of education. There shall be no change in compensation or benefits during the temporary appointment or assignment unless authorized by the ~~s~~Superintendent.

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

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

REFERENCES:

KRS 160.380

KRS 160.390

OAG 92-135

OAG 92-1

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Promotion**

Positions established by the ~~b~~Board of education which require administrative or supervisory ~~certification responsibilities~~ may be deemed as promotional opportunities. Promotional opportunities shall also include administrative positions/job classifications which are paid at a higher salary range than the one to which currently assigned.

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

After all administrative personnel in active status are ~~deployed~~assigned, vacancies shall be advertised and staffed, in accordance with affirmative action, equal employment opportunity, and state and federal laws.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position. In addition, Attendance data shall be considered in the promotion of employees. References and job attendance data are required of all applicants and ~~these~~ will be carefully considered in making decisions on promotions.

~~All qualifications being equal, preference for filling such vacancies shall be given to personnel currently employed by the b~~Board of education.

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

REFERENCES:

KRS 160.380
OAG 92-1

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.2313

- CLASSIFIED PERSONNEL -

Demotion

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

REFERENCES:

[KRS 161.164](#)

[OAG 92-1](#)

[OAG 92-135](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Supervision****IMMEDIATE SUPERVISOR**

~~The sSuperintendent shall have the authority to assign administrative staff to temporary or interim positions to carry out the day-to-day operation of the school system. Persons acting in such positions shall be informed of who their immediate supervisor shall be and what responsibilities are included in the job description.~~

The Superintendent shall be responsible for clearly specifying requirements and expectations for all other administrators and holding each of them accountable for satisfactorily completing their assigned duties. In doing so, The sSuperintendent shall may delegate the responsibility of supervision for improvement of instruction to those persons who have been identified for the task within the organizational structure. ~~All staff shall be informed of the name of their immediate supervisor.~~ The goal of supervision shall be to maximize employee capabilities in the pursuit of educational excellence.

Supervision shall be provided for all classified employees. All employees shall be informed of the name of their immediate supervisor.

JOB DESCRIPTION

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

REFERENCE:

[KRS 160.290](#)

RELATED POLICY:

03.233

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Use of School Property**

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. The employee shall report any damaged, lost, stolen, or vandalized property to his/her 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 the 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~~employment. These items (including security codes and electronic records, such as E-mail) are property of the District and shall not be used ~~solely for job-related purposes for outside employment~~.

RESOURCES DEVELOPED AT DISTRICT EXPENSE

Royalties and profits derived from the sale or use of articles, writings, publications, audio-visual aids, and other materials developed at ~~d~~District expense for school use or as a result of officially assigned duties shall accrue to the ~~d~~District's general fund.

Residuals shall not be paid to any person who, while employed by the ~~d~~District, produced or participated in the development of such materials at ~~d~~District expense.

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.

The JCPS Networks are provided to assist employees in carrying out the educational business of the District, conducting research, and communicating with others in regard to school work. Along with this access comes the availability of materials that may not be considered appropriate for use in the workplace. Because it is impossible to control all materials available through the Internet, each employee is ultimately responsible for observing the JCPS standards outlined below, as well as other applicable school and District rules for behavior and communications.

Access is a privilege, not a right.

Access to this shared resource is given to employees who agree to utilize the JCPS Networks to support the educational business of JCPS and to act in a considerate and responsible manner.

Employees will:

- Use the JCPS Networks for the educational business of JCPS such as conducting research and communicating with others in regard to school business; and
- Use appropriate language, avoiding swearing, vulgarities, or abusive language.

- CLASSIFIED PERSONNEL -

Use of School Property

Employees will NOT:

- Transmit or receive materials in violation of federal or state laws or regulations pertaining to copyrighted or threatening materials; or transmit or receive obscene or sexually explicit materials;
- Use the JCPS Networks for personal or commercial activities, product promotion, political lobbying, or illegal activities;
- Break into/attempt to break into another computer network;
- Damage/attempt to damage, move, or remove software, hardware or files;
- Use unauthorized multi-user games;
- Send or forward chain letters;
- Download or use unauthorized software products;
- Create or share computer viruses;
- Share access to their JCPS Network account, fail to reasonably protect their JCPS Network account, sharer passwords provided to access District information, or use another person's account; or,
- Use the JCPS Networks to disrupt the efficient operation and/or educational programs of the District.

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

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

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

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

DRIVING RECORD USE OF BOARD-OWNED VEHICLES

The Superintendent/designee shall issue operational and management procedures for all Board-owned vehicles used by District employees.

Employees who have occasion to drive a Board-owned vehicle and/or to transport 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.

- CLASSIFIED PERSONNEL -**Use of School Property****USE OF BOARD-OWNED VEHICLES**

~~The Superintendent/designee shall issue operational and management procedures for all Board-owned vehicles used by employees of the Jefferson County Public Schools District.~~

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones. A uniform and controlled system shall be established for monitoring use and appropriate reimbursement to the District, based on itemized billing statements for each device.

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

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

~~District-owned telecommunication devices shall be used for authorized District business purposes. Personal use of such equipment is prohibited except for emergency situations. Employees shall reimburse expenses incurred for emergency personal use.~~

RESPONSIBILITY FOR DAMAGES

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

REFERENCES:

[KRS 160.290](#)
[KRS 189.292](#)
[KRS 189.294](#)
[KRS 281A.205](#)
[702 KAR 005:080](#)

RELATED POLICIES:

03.21; 03.2721, 06.221

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.2322

- CLASSIFIED PERSONNEL -

Gifts

No employee of the ~~Jefferson County Public School~~ District shall receive, directly or indirectly, any gift, reward, or promise of reward in exchange for influence in recommending or procuring the use of any goods, services, property, or merchandise of any kind for which school funds are expended.

~~Appeals by community organizations for support shall be authorized by the Superintendent/designee prior to collection of funds. All donations/contributions will be voluntary.~~

REFERENCE:

[KRS 160.580](#)

Adopted/Amended: 01/01/1900

Order #:

PERSONNEL

03.2323

- CLASSIFIED PERSONNEL -

Solicitations

Appeals by community organizations for support shall be authorized by the
| ~~s~~Superintendent/designee prior to collection of funds. All donations/contributions ~~will~~shall be
voluntary.

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Political Activities**

Employees of the ~~Jefferson County Public School~~ District shall not promote, organize or engage in political activities ~~on Jefferson County Public School property~~ during school/office hours. At no time shall school equipment be used for political purposes by employees. Promoting, organizing or engaging in political activities shall include, but not be limited to, the following:

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

Any employee engaging in political activity during school/office hours shall be subject to disciplinary action, ~~including termination, which could result in discharge.~~

"Political positions" shall not be defined to include communications approved by the Superintendent to be distributed to parents or the community concerning District needs or proposed actions by the Board. Examples of such communications may include, but not be limited to, those addressing ~~designation of attendance zones/areas the District's legislative priorities~~ and District facility and financial needs.

Employees shall not be prohibited from renting school property for use at appropriate times for political purposes. ~~Upon the recommendation of the Superintendent the Board of education may grant any employee, upon written request, an unpaid leave of absence for the purpose of engaging in political activities.~~

SCHOOL BOARD ELECTIONS

The Superintendent shall inform all District employees of the provisions of [KRS 161.164](#).

REFERENCES:

[KRS 161.164](#); [KRS 161.990](#)
[OAG 72-700](#); [OAG 63-572](#)
[OAG 92-145](#)

RELATED POLICY:

03.212

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Disrupting the Educational Process**

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

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

1. Conduct that threatens the health, safety, or welfare of others;
2. Conduct that may damage public or private property, including property of students or staff;
3. Illegal activity;
4. Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
5. Conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

OTHER CLAIMS COMPLAINTS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 03.262, which addresses harassment/discrimination allegations.

REFERENCES:

[KRS 160.290](#)

[KRS 161.790](#)

RELATED POLICIES:

03.212, 03.262, 03.27, 09.422, 10.21

Adopted/Amended: 01/01/1900

Order #:

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

The ~~Jefferson County Public School~~ District is committed to maintaining a drug-free workplace. ~~The unlawful manufacture, distribution, dispensing, possession, or use of alcohol, intoxicants, inhalants, narcotics, non-narcotics that do not have a legitimate medical use, or any other controlled substance, as defined in schedule I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) or Kentucky Revised Statutes Chapter 218A, is prohibited in the workplace. Failure to comply with this prohibition is grounds for disciplinary action up to and including termination.~~

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

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

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

DEFINITIONS

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

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

Prohibited substances include:

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

AUTHORIZED DRUGS

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

WORKPLACE DEFINED

For purposes of this policy, "workplace" shall include any site where ~~d~~District work is performed, ~~including any place where work on a District program, project or activity is performed,~~ including, ~~but not limited to,~~ school buildings, school premises, property owned, leased or used by the ~~d~~District for educational or business purposes, school-owned vehicles, or other school-approved vehicles used for school business or to transport staff members or students to and from school or school activities. "Workplace" also includes any school-sponsored or school-approved activity, event or function such as a field trip or athletic event ~~which are that is-~~

Drug-Free/Alcohol-Free Schools

~~held off school property and in which where~~ students or staff members are under the jurisdiction of the ~~d~~District.

SUSPENSION/TERMINATION/NON-RENEWAL

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

~~Employees shall be subject to disciplinary action, up to and including termination, if convicted of offenses related to sexual misconduct or drugs, as defined in Board Policy GCDB, 03.21, or for alcohol, violent crime or felony offenses committed on or off school dDistrict property. Each employee shall notify his or her supervisor of any criminal conviction for these offenses no later than five (5) days after the conviction. Failure to provide notice of a criminal conviction for these offenses may result in disciplinary action, up to and including termination.~~

ALTERNATIVE

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

REPORTING

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

POST-DISCIPLINE DRUG TESTING

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

AWARENESS AND PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free awareness and prevention program ~~for all to inform employees about the dangers of drug abuse in the workplace; the district's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace which shall include notice of the following:-~~

1. The dangers of drug/alcohol/substance abuse in the schools;

PERSONNEL

03.23251

- CLASSIFIED PERSONNEL -

(CONTINUED)

Drug-Free/Alcohol-Free Schools

AWARENESS AND PREVENTION PROGRAM (CONTINUED)

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

REFERENCES:

[KRS 160.290](#); [KRS 217.900](#); 34 CFR Part 85

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

RELATED POLICIES:

03.2325

08.1345

09.2241

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Duties**

Each employee of the ~~Jefferson County Public School~~ District shall carry out the duties and responsibilities under such standards as will assure ethical performance of duty. As public employees working for the ~~Jefferson County Public School~~ District, all employees are expected, to the best of their ability, to perform their duties honestly and faithfully. Employees shall not place themselves in positions that will cause them to act in any manner other than in the best interest of the public and the ~~school-d~~District.

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

JOB DESCRIPTION

The ~~b~~Board ~~of education~~ shall establish such positions as necessary for the efficient and orderly operation of the school system. ~~The board of education and~~ shall prescribe the duties for all employees by ~~establishing~~approving job descriptions, ~~and~~ organizational charts, ~~and~~ The Board shall approve classifications of employees for compensation purposes.

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, a job description which establishes all essential functions of the position. There shall be a written job descriptions for all~~each~~ employees of the ~~Jefferson County Public School~~ District. Job descriptions shall include:

- A descriptive title;
- Qualifications and competencies;
- A detailed explanation of performance responsibilities;
- Assignment to a Board adopted salary schedule and the number of days to be worked each year;
- Physical demands;
- Fair Labor Standards Act (FLSA) status – exempt or non-exempt;
- The immediate links to the chain of command, a statement identifying the supervisor and a statement identifying all the positions supervised by the employee holding the position or that the employee has no supervisees;
- A description of the alignment to staff appraisal instruments that reflect the competencies and responsibilities of the written job descriptions. The job description and related appraisal instruments should include the responsibility for the implementation of Board policies and District strategic priorities as well as the relationship of the position to professional development, and teaching and learning in the District. All job descriptions and related appraisal instruments should detail precise duties (performance and products) and expectations against which the employee will be evaluated and the time frame(s) when formal evaluations will be conducted;
- The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements; and
- The date approved or most recently revised.

Duties

The Superintendent shall conduct a periodic review of job descriptions to be sure they are accurate, complete, and consistent with the table of organization and include accountability for both the design and delivery of aligned written, taught, and tested curricula. The Superintendent shall recommend revisions to the Board for approval.

~~qualifications, performance responsibilities, salary schedule, and physical demands. It also shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.~~

Any person who is designated to be an acting administrator in the absence of the administrative head shall be identified in the job description or by written memorandum. In case of extended absences of the unit administrator, the ~~s~~Superintendent shall notify the ~~b~~Board of the action taken.

School employees, within the limitations of training and competency, may be assigned by the immediate supervisor/~~p~~Principal to such non-classroom duties as deemed necessary by the District or its administrative staff for the proper functioning of the schools, ~~by the Jefferson County Public School District or its administrative staff. These duties shall include, but not be limited to, the following:~~

- ~~1. bus duty~~
- ~~2. playground duty~~
- ~~3. cafeteria duty~~
- ~~4. chaperoning field trips~~
- ~~5. hall monitoring~~

INVESTIGATIONS

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

ACCOMMODATION

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

REFERENCES:

- ¹Americans With Disabilities Act (ADA); Rehabilitation Act of 1973
[KRS 158.645](#), [KRS 158.6451](#), [OAG 91-10](#)
P. L. 93-12 Sec. 504; P. L. 101-336

RELATED POLICY:

03.113

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Outside Employment or Activities****OUTSIDE EMPLOYMENT**

Employees shall not perform any duties related to an outside job during their regular working hours. In addition, Employees shall refrain from outside employment or activities that interfere with the proper discharge of their duties and obligations to the school district. ~~Jefferson County Public School District employees shall be expected to give priority to all school/work related duties before engaging in any non-school employment. Such duties shall include~~ daily job responsibilities and/or attendance at any other job-related meetings or events.

PROFESSIONAL RESEARCH AND PUBLISHING

An employee must receive authorization from the Superintendent/designee to have access to or to utilize any school related information, school system records, or data from the school system in professional research or publishing. Such research and publishing shall maintain the confidentiality of student education records and staff information of a personal nature.

CONSULTING ACTIVITIES

Employees of the ~~Jefferson County Public School~~ District may not serve as consultants to outside public or private agencies, ~~public and/or private~~ on school district time. Paid consultant work shall be done on the employee's own time or on vacation or personal leave days.

TUTORING FOR PAY

Unless it is approved in advance by the Board as part of a Board-approved program, no employee shall:

- Receive compensation for tutoring a student currently enrolled in a class to which that employee is assigned; or
- Tutor a student for pay on school property and/or utilize school materials in tutoring a student for pay.

USE OF DISTRICT PROGRAMS AND/OR MATERIALS

Programs and/or materials developed by the ~~Jefferson County Public Schools District~~, for use in the District or ~~on Jefferson County Public Schools District work time as part of an employee's job duties~~ shall not be used in outside employment or in a consulting capacity unless approved by the Superintendent.

~~Violation of this policy may result in disciplinary action, up to and including termination.~~

EXCEPTION

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties.¹

Violation of this policy may result in disciplinary action, including termination.

PERSONNEL

03.2331

- CLASSIFIED PERSONNEL -

(CONTINUED)

Outside Employment or Activities

REFERENCES:

¹[KRS 61.394, KRS 61.396](#)

[KRS 160.290](#)

[KRS 160.291](#) (4)

RELATED POLICIES:

| [01.6](#)

03.222

03.2238

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Hours of Duty**

~~Good attendance is necessary and expected in order to maintain an efficient school system; therefore, the Jefferson County Public School District encourages-requires~~ its employees to attend work daily as required by the employee's working calendar unless the employee is on an approved leave. ~~develop~~have satisfactory attendance performance in pursuit of that the goal of regular attendance. All employees shall be apprised of this ~~goal~~requirement and a plan for improving staff attendance shall be developed, as needed.

~~Jefferson County Public School District~~ Employees shall adhere ~~and conform~~ to time schedules for duty hours applicable to their job classification, and to appropriate procedures for accounting for time and attendance as set by the ~~s~~Superintendent. Attendance data shall be considered in the promotion of employees.

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Health and Safety****SAFETY**

The ~~Jefferson County Public School District Board~~ shall provide every employee with **safe and healthful** working conditions and tools which adhere to standards and regulations set by the Occupational Safety and Health Act, Kentucky Occupational Safety and Health Act, and Environmental Protection Agency requirements. Where safety and health requirements of a particular job mandate specific action on the part of the employee (e.g., annual health examinations), procedures to ensure that such action takes place shall be developed under the direction of the ~~s~~Superintendent.

Each school administrator shall document all accidents and any loss of time for students and employees on proper accident report forms. The appropriate director shall review the reports in order to monitor the system-wide accident prevention program.

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

HAZARD COMMUNICATION

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

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

BLOODBORNE PATHOGEN CONTROL

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

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;

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

4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;
6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a work-site exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

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

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

LOCKOUT/TAGOUT

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

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

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

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

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

REFERENCES:

- ¹[401 KAR 058:010](#), 40 C.F.R. Part 763
Kentucky Department for Public Health
Centers for Disease Control and Prevention
Kentucky Labor Cabinet, [803 KAR 002:308](#), [803 KAR 002:404](#), [803 KAR 002:500](#)
OSHA 29 CFR 1910
132 PPE Hazard Assessment
147 Lockout/Tagout
1200 Hazard Communication
1030 Bloodborne Pathogens

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Personnel Records**

~~The Jefferson County Public School District shall maintain files on individual employees and shall permit employees to examine the contents of the personnel files, in the presence of appropriate District personnel.~~

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

The ~~d~~District shall grant ~~reasonable~~ requests from the employee for copies of the contents of his/her personnel file, for which a reasonable charge may be established. ~~Recommendations and references obtained prior to employment and references obtained for promotions shall remain confidential and may not be examined by the employee. The confidential section shall be removed from the file prior to employee's examination of said contents.~~

The employee shall be notified when any material is added to the personnel file. ~~No anonymous material shall be placed in personnel files.~~ All material placed in the file shall be job-related.

The employee shall have the right to furnish a written response to any material filed, and that document shall be reviewed by the appropriate administrator and entered into the employee's record. The employee shall have the right to request an amendment to records maintained by the district, subject to procedures established by the ~~s~~Superintendent.

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

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

PUBLIC INSPECTION

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, ~~or portions otherwise exempt from disclosure by law,~~ are not open for public inspection.³

MEDICAL INFORMATION

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

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

PERSONNEL

03.25

- CLASSIFIED PERSONNEL -

(CONTINUED)

Personnel Records

REFERENCES:

¹[KRS 61.884](#)

²[KRS 61.876](#)

³[KRS 61.878](#)

⁴Genetic Information Nondiscrimination Act of 2008

[KRS 61.870](#), [KRS 61.872](#), [KRS 61.874](#); [KRS 161.151](#), [704 KAR 003:345](#)

[OAG 77-394](#), [OAG 85-109](#), [OAG 86-15](#), [OAG 89-90](#)

[OAG 91-161](#), [OAG 91-176](#)

Kentucky Education Technology System (KETS)

[Records Retention/Public School District Schedule](#)

Americans with Disabilities Act of 1990 (P.L. 101-336), 42 U.S.C. 12112

RELATED POLICIES:

01.6

03.211

10.11

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Grievances**

The ~~Jefferson County Public School~~ District shall guarantee provide due process to employees for complaints and grievances concerning employment.

PROCEDURES

A grievance process shall be provided through negotiated agreements with recognized employee organizations. All employees of the Jefferson County Public School District shall be informed of approved lines of communication. All employees and shall make every reasonable effort to follow these lines of communication in carrying out their duties.

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

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

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

General Grievances

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

Personnel Issues

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

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

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

Exception

Harassment/Discrimination allegations shall may be governed addressed by policy 03.262.

REFERENCE:

OAG 78-204

RELATED POLICY:

03.262

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Discipline, Suspension and Dismissal of Classified Employees****DISCIPLINARY OPTIONS**

Classified employees may be subject to the following actions, to include, but not limited to:

1. ~~Verbal~~Oral warning or reprimand by Superintendent/designee
2. Written warning or private reprimand by Superintendent/designee
3. Disciplinary probation status imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Public reprimand by Superintendent/designee
6. Suspension without pay by Superintendent
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

~~For cause, a classified employee may be suspended. The superintendent may suspend a classified employee without pay subject to the notification of the board of education.~~ The ~~s~~Superintendent may terminate a classified employment contract pursuant to the provisions of KRS 161.011.

ACTIONS WHICH MAY REQUIRE HEARING PROCEDURES

~~Only t~~The Superintendent may ~~issue a public reprimand,~~ suspend without pay or terminate a classified employee. Subject to the employee's exercise of applicable hearing rights, these personnel actions shall be effective on the employee's receipt of written notice from the Superintendent. ~~Subject to the completion of any pending administrative hearing procedure on the action, t~~The Superintendent shall notify the Board at the first meeting following a public reprimand~~reassignment~~, suspension without pay, nonrenewal or termination and such notification shall be recorded in the Board minutes. An employee may also be issued a public or private reprimand.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

~~An employee may be relieved from duty for the remainder of the work day (without loss of pay for the affected portion of the day) by the immediate supervisor, pending a review of the facts or allegations, when such time is needed to protect health or welfare of students or staff or to prevent disruption of the educational process. Such action shall be taken when necessary for the interest of the efficient operation of the Jefferson County Public School District.~~

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

~~Employees suspended with pay shall remain available for immediate recall to active service.~~

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION**

Any classified employee may be subject to appropriate disciplinary action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.
2. Reporting to work under the influence of or use or possession of alcohol or controlled substances while on duty, or the illegal use or possession of controlled substances at any time.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
5. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
6. Refusal to comply with safety directives.
7. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
8. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
9. Being convicted of or entering an "Alford" plea or plea of nolo contendere to ~~a felony or any crime (including misdemeanors) involving moral turpitude or illegal transactions with minors or students~~ crimes related including, but not limited to, sexual misconduct, drugs, alcohol, violent crime, ~~crimes involving moral turpitude, illegal transaction with a minor or any felony offense.~~
10. Immorality, misconduct, or conduct unbecoming a school employee.
11. Loss of licensure or certification required for the position.
12. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
13. Engaging in any sexually related behavior with a student with or without consent including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
14. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

Discipline, Suspension and Dismissal of Classified Employees**DUE PROCESS PROVISIONS**

~~Negotiated agreements with recognized employee organizations shall provide due process procedures. The Superintendent shall develop/adopt due process procedures for employees exempt from representation. to provide adequate due process, covering matters that may result in public reprimand, suspension without pay or termination of classified employees. The procedures shall address, but are not limited to notice, opportunity to be heard, right to counsel, conducting a hearing (if requested), and the rendition of a decision or action.~~

~~Employees shall be provided written notification of the charges that may result in a public reprimand, suspension without pay or termination. The notification shall include a statement of the right to a hearing and a form, the signing and filing of which with the Superintendent shall constitute a demand for a hearing and a denial of the charges. If an employee wishes to request a hearing, the employee shall present the appropriate form to the Superintendent within ten (10) calendar days of the receipt of the written notification of the charges. If the employee does not file the demand for a hearing within the ten (10) day period, final personnel action may be taken or completed without a hearing or further proceedings.~~

REINSTATEMENT FOLLOWING SUSPENSION

~~The sSuperintendent may immediately reinstate personnel upon receipt of information which the sSuperintendent believes justifies reinstatement. The sSuperintendent shall notify the bBoard of education at the next meeting following the reinstatement.~~

OTHER DISCIPLINARY ACTIONS

~~When disciplinary actions other than public reprimand, suspension without pay or termination, are at issue, employees may submit a written response, which shall be placed in their file along with any documentation of the disciplinary action.~~

REFERENCES:

¹Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008
42 U.S.C. Section 12111 et seq.; KRS Chapter 344

KRS 160.380; KRS 160.390; KRS 161.011

OAG 76-290; OAG 92-135, OAG 96-3, OAG 05-006

Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.23251

03.26

03.271

03.2711

07.162

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Reduction in Force**

The ~~s~~Superintendent shall reduce the work force as necessary in accordance with the Kentucky Revised Statutes.

PROCESS

During the budgeting process the Board shall determine the number of classified positions to be funded by the District.

If it becomes necessary ~~to reduce the number of classified employees within the budget year~~, the Superintendent may ~~at any time~~ make a reduction in the number of classified employees due to the following:

1. Reduction in funding,
2. Reduction in enrollment of students,
3. Changes in the District or school boundaries, or
4. Other compelling reasons as determined by the Superintendent.

The Superintendent shall provide at least thirty (30) calendar days written notification to employees affected.

Reduction in force of classified employees shall be defined as total separation from employment in the District. A change in duties or non-renewal of a part-time position when an employee holds more than one (1) position shall not be considered a reduction in force.

ORDER OF REDUCTION

~~Employees who have less than four (4) years of continuous active service shall be reduced first.~~

When a reduction of force is necessary, the Superintendent shall, within each job classification affected, reduce classified employees on the basis of seniority and qualifications with those employees who have less than four (4) years of continuous active service being reduced first.

If it becomes necessary to reduce employees who have more than four (4) years of continuous active service, the Superintendent shall make reductions based upon seniority and qualifications within each job classification affected.

~~WhenIf it becomes necessary to reduce the work force, the Jefferson County Public School District shall make such reductions in the following order:~~

- ~~1. Those on temporary status having least seniority within the job category affected.~~
- ~~2. Those on probationary status having the least seniority within the job category affected.~~
- ~~3. Those on permanent status having the least seniority within the job category affected.~~

DETERMINATION OF SENIORITY

For purposes of effecting reduction in force, seniority shall be computed from an employee's first compensable day as a probationary, or permanent full-time employee whichever is applicable within the job ~~category~~classification affected. ~~In the event that~~If more than one (1) employee subject to reduction in ~~staff~~force ~~are~~is affected by employees having ~~has~~ the same seniority date, tie breakers will be utilized.

Reduction in Force

~~While the employee is subject to reduction in force, the employee will have the option at his/her expense to remain an active participant in all bBoard and state paid fringe benefit programs to the extent they are available to the employee from the carriers.~~

RE-EMPLOYMENT

Employees with more than four (4) years of continuous active service in the District shall have the right of recall, if positions become available for which they are qualified. Recall of those individuals shall be implemented according to District seniority with restoration of primary benefits, including all accumulated sick leave and appropriate rank and step on the current salary schedule based on total number of years of service in the District. In addition, should these employees be subject to a reduction in force, they shall be granted continuation of benefits under COBRA.

When employees with less than four (4) years of continuous active service in the District are selected for reduction, they shall no longer be considered an employee and shall have no employee rights or benefits other than those granted under COBRA. These individuals may reapply for employment with the District if positions open in the future. However, a reduction in force does not guarantee future employment with the District or any preference or recall right in the employment process for employees with less than four (4) years of District experience.

~~Before vacant positions are filled by new applicants within a job category, employees who were terminated non renewed shall have the restoration be considered for staffing such vacancies within the job category in the following order:~~

- ~~1. Those on permanent status having greater seniority within the job category affected.~~
- ~~2. Those on probationary status having greater seniority within the job category affected.~~
- ~~3. Those on temporary status having greater seniority within the job category affected.~~

REFERENCE:

KRS 161.011

RELATED POLICIES:

02.4331
03.22
03.224

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Nonrenewal**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15.

The **s**Superintendent may non-renew a classified employment contract pursuant to the provisions of KRS 161.011, with written notice being mailed or provided to the employee no later than May 15.

BASIS FOR NONRENEWAL (LESS THAN FOUR YEARS OF SERVICE)

The Superintendent may nonrenew the contracts of classified employees with less than four (4) years of continuous active service in the District for any legal reason.

BASIS FOR NONRENEWAL (FOUR OR MORE YEARS OF SERVICE)

Classified employees with four (4) or more years of continuous active service in the District may be nonrenewed for the following reasons:

1. Incompetency,
2. Neglect of duty,
3. Insubordination,
4. Inefficiency,
5. Misconduct,
6. Immorality,
7. Other grounds contained in Board policy, including, but not limited to, causes for action set forth in Board policy 03.27,
8. Loss or reduction of funding, or
9. A position becomes obsolete or redundant due to program reorganization, changes to program requirements, elimination or reduction of a program, including a council decision that fewer employees are needed at the school, or any other change in District personnel staffing policies or guidelines.

The **s**Superintendent shall develop procedures to afford employees due process as required by law.

REFERENCE:

[KRS 161.011](#)

RELATED POLICIES:

03.27
03.271

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -

Conflict of Interests

~~In complying with this policy, employees shall strictly adhere to the provisions of KRS 45A.455, Conflicts of Interest - Gratuities and Kickbacks - Use of Confidential Information, and KRS 156.480(2). Employees of School District with Decision Making Authority Prohibited from Supplying Goods or Services for Which School Funds are Expended.~~

PECUNIARY INTEREST PROHIBITED

No employee of the ~~Jefferson County Public School~~ District shall ~~(1)~~ violate any of the standards of ethical conduct applicable to such employee, as stated in the Procurement Regulations issued by the ~~Jefferson County Board of Education, or (2) if they have~~

No employee of the District with decision-making authority over the financial position of the school District, shall have a financial any pecuniary interest, directly or indirectly, in an amount exceeding \$25.00 per year, in supplying to the or purchasing from the school d District any books, stationery or any other goods, services, property, perishables, materials, supplies, equipment or services or merchandise for which school funds are or were expended, except (a) personal services that are in addition to those required by such employee's contract for employment, or (b) goods or merchandise sold by competitive bid or at public auction. Nor shall any such person employee receive, directly or indirectly, any gift, reward, or promise of reward for such employee's influence in recommending or procuring the use by the District of any goods, services, property, or merchandise of any kind for which school funds are expended.

No employee of the District with procurement authority shall participate in any proceeding or application, request for ruling or determination, claim or controversy, or other matter pertaining to any existing Board contract, or any solicitation or proposal for any proposed Board contract, if (1) he or she or any member of his or her immediate family has or will have a financial interest in such contract; (2) a business or organization in which he or she or any member of his or her immediate family has a financial interest in or will be a party to such contract; or (3) any other person, business or organization with whom he or she or any member of his or her immediate family is negotiating or has an arrangement concerning prospective employment is or will be a party to such contract.

No administrator or other employee of the District shall solicit for personal financial remuneration from students, parents and/or other staff employees of the District during the school day or during school events an after-school event, if such employee has a pecuniary interest, directly or indirectly, in the proceeds from such solicitation.

Unless a prior arrangements are written agreement is made with the Board, any device, publication design, writing, composition, artwork or any other item to be copyrighted work that is developed by an District employee during the such employee's paid time that may be the subject of a patent, copyright, trademark or trade secret shall be District property.

Employees No District employee shall not obtain a profit monetarily through directly or indirectly, from the use of confidential information gained in the course of or by reason of their such employee's position of employment with the District.

EXCEPTION

PERSONNEL

03.2721

- CLASSIFIED PERSONNEL -

Conflict of Interests

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

REFERENCES:

[†][KRS 156.480](#)

[KRS 45A.455](#)

[OAG 77-228](#)

[OAG 71-474](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Retirement****DEFINITION**

Retirement ~~shall mean~~ retirement ~~from as determined by~~ the County Employees' Retirement System ~~or the Kentucky Teachers' Retirement System guidelines.~~

NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than ~~two~~**four** (24) weeks prior to retirement.

RESPONSIBILITY

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

UNUSED SICK DAYS

~~At the time of initial retirement from the District and under provisions of KRS 161.155 (10), the~~ Board shall compensate classified employees ~~or their estate, only upon initial retirement from the District for each unused sick days at the rate of thirty percent (30%) of the daily salary, rate for each unused sick day.~~ The maximum number of days on which this calculation shall be based will be the current balance of unused sick days at ~~the~~ time of retirement or the balance as of thirty (30) years of employment, whichever is less. This calculation shall be based on the employee's last annual salary. For personnel who begin employment ~~with a local school the~~ ~~District~~ on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days.¹

The District shall provide compensation for unused sick leave days ~~at the rate of thirty percent (30%) of the employee's daily rate~~ when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the County Employees' Retirement System ~~or the Kentucky Teachers' Retirement System. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.~~

ESCROW ACCOUNT

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

REFERENCES:

¹[KRS 161.155](#); [KRS 61.545](#)
[KRS 78.610](#); [KRS 78.616](#)
[KRS 161.220](#); [KRS 161.540](#)
[KRS 161.545](#); [KRS 161.555](#)
[KRS 161.560](#); [KRS 161.600](#); 29 U.S.C. 631
[OAG 81-72](#); [OAG 83-191](#); [OAG 97-28](#); [OAG 81-1](#)

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Evaluation**

~~All staff shall be informed of the name of their immediate supervisor. The goal of supervision shall be to maximize employee capabilities in the pursuit of educational excellence.~~

~~The purposes of the evaluation system shall be to: improve instruction, provide a measure of performance accountability to citizens, provide encouragement and incentive for employees to improve performance, and support individual personnel decisions.~~

All classified staff shall be evaluated annually by the Principal or immediate supervisor. ~~during the initial four (4) years of employment and at least once every three (3) years thereafter.~~ The Superintendent shall establish procedures for such evaluations. ~~shall be established and implemented by the sSuperintendent in accordance with state statute/regulations and shall be performed by the Principal or the immediate supervisor.~~

The administrator performing the evaluation shall share and discuss the evaluation ~~report~~ with the employee. Evaluations shall recognize the individual contributions of employees and shall address the need for accountability within the ~~d~~District. The employee shall have the right to comment in writing on the evaluation ~~report~~. All evaluations, along with any response materials an individual employee wishes to submit, shall be maintained in the employee's personnel recordfile.

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -

Staff Meetings and Professional Development

The ~~Jefferson County Public School District Board~~ expects all employees to participate in meetings or activities ~~which are~~ designed to increase their skills and competencies or to contribute to their professional growth ~~or to provide information.~~ Accordingly, The Jefferson County Public School District shall provide professional development opportunities for its employees to develop their skills and to receive training necessary for the performance of duties as required.

~~In-service shall be provided for the specific purpose of involving local school staffs, individually or in cooperation with other schools, in planning and executing professional growth activities. Development opportunities shall be provided for all staff members.~~

STAFF ORIENTATION

The ~~Jefferson County Public School District~~ shall provide orientation for all new and/or selected personnel at the beginning of the school year. The orientation shall provide information and activities to enhance effective job performance. Orientation may be held at other times as necessary.

REFERENCES:

P. L. 107-110 (No Child Left Behind Act of 2001)
34 CFR 200.58-200.59

Adopted/Amended: 01/01/1900
Order #:

- CLASSIFIED PERSONNEL -**Professional Meetings****DEFINITION**

Professional meeting shall refer to any meeting that is not included in the school/District professional development plan and that relates to the condition, improvement and/or operation of the schools or any meeting held by a professional education organization, which specifically addresses job efficiency, safety or performance.

AUTHORIZATION TO ATTEND

~~Jefferson County Public School~~ District employees may apply for and be granted a leave of absence for the purpose of attending authorized professional meetings, conferences and workshops outside the ~~d~~District which are ~~ad~~judged to be in the interest of the ~~d~~District. ~~Administrative procedures may cover assignment, payment of expenses, waiving of salary deductions and/or other pertinent b~~Board requirements adopted pertinent matters.

Employees shall obtain prior authorization to attend professional meetings as specified by council policy and District procedures. The requesting employee shall submit a ~~written application~~professional leave request to attend the meeting, with or without pay and/or expense reimbursement, to the Principal/immediate supervisor, who shall forward approved requests to the Superintendent/designee.

Approval of the Superintendent/designee shall be contingent on:

1. Whether the meeting meets the definition established by this policy;
2. Skills required by the employee's job description or goals of his/her growth plan; and
3. Availability of funds and substitutes.

Part-time classified, temporary, seasonal and substitute employees are not eligible for ~~conference/workshop~~ leave to attend professional meetings unless approved by the ~~s~~Superintendent/designee.

EXPENSES

Payment of allowable expenses of individuals attending such meetings and the cost of necessary substitutes may be made upon approval of the appropriate authority.

REFERENCES:

KRS 156.190, KRS 156.095, KRS 160.345, KRS 160.410
702 KAR 003:246

RELATED POLICIES:

03.225
03.29

Adopted/Amended: 01/01/1900

Order #:

- CLASSIFIED PERSONNEL -**Professional Organizations**

The ~~bB~~oard ~~of education~~ and the ~~sS~~uperintendent ~~shall~~ encourage membership of personnel in organizations conducive to professional growth and development of the individual, ~~and the system.~~ However, membership in professional organizations is an individual professional matter, and the choice should be made independently by the individual employee. Membership or participation in professional organizations shall not be considered a part of an employee's job duties unless approved in writing by the Superintendent.

The ~~bB~~oard ~~of education~~ and the ~~sS~~uperintendent shall work with professional organizations in a cooperative manner in order to ensure the best interests of the students.

Adopted/Amended: 01/01/1900

Order #:

Student Teachers

The Superintendent/designee shall oversee the utilization of student teachers in the District in keeping with the agreement established with teacher education institutions.

REFERENCES:

[KRS 161.010](#)

[KRS 161.042](#)

[016 KAR 005:040](#)

Adopted/Amended: 01/01/1900

Order #:

Substitute Teachers

The ~~Jefferson County Public School~~ District may use substitute teachers in accordance with state law and Kentucky Administrative Regulations. Substitute teachers shall have the same authority as the teacher while engaged for services in the place of the regularly assigned teacher.

QUALIFICATIONS

All substitute teachers shall meet criminal records check and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list. Refusal of assignment as a substitute shall be documented, along with any reason provided.

RETIRED TEACHERS

Retired teachers and administrators ~~may substitute teach~~ may be reemployed as a part-time, temporary, or substitute teacher in accordance with applicable state law, Kentucky Administrative Regulations and requirements of the Kentucky Teachers' Retirement System.

TEACHERS ON LEAVE

Teachers on leave of absence may not substitute teach in the ~~Jefferson County Public School~~ District, except for those who qualify for educational/professional or ~~adoption~~/child rearing/adoption leave.

Paid leaves of absence and other benefits reserved for full-time regular employees are not applicable to part-time classified, temporary, seasonal and substitute employees.

LENGTH OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher. The substitute will continue to report for duty until relieved by the Superintendent or designee.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes. Seniority and rights to reassignment and/or re-employment shall not accrue as a result of service in any part-time classified, temporary, seasonal or substitute staff assignment.

~~The salary schedule may reflect adjustments for long-term/continuous assignment substitutes.~~

Payment shall be made on the next scheduled payday for substitutes.

Substitute Teachers

EMPLOYMENT NOTIFICATION

References are required which will be ~~carefully~~ reviewed as part of the decision to employ or re-employ. References will include former and current supervisors.

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 161.605; KRS 161.611
016 KAR 002:030; 016 KAR 002:120; 102 KAR 001:030;
702 KAR 001:035; 702 KAR 003:075; OAG 69-296

RELATED POLICIES:

03.11, 03.111, 03.121

Adopted/Amended: 01/01/1900

Order #:

Paraprofessionals

SUPERINTENDENT MAY EMPLOY

The Superintendent may employ paraprofessionals for supplementary instructional and non-instructional duties in the education program in positions authorized by the Board.¹

DEFINITION

As used in this policy and in relation to required training and qualifications for instructional personnel, the term "paraprofessional" is interchangeable with the term "paraeducator," which means an adult school employee who works under the direction of the professional administrative and teaching staff in performing, within the limitations of training and competency, certain instructional and non-instructional functions in the school program.²

EDUCATIONAL REQUIREMENTS

~~Existing and new paraprofessionals who provide instructional services or support in programs supported by Title I funds~~ All paraprofessionals shall satisfy educational requirements specified by federal law.²

SUPERVISION

Instructional assistants, and other paraprofessionals shall be assigned to work under the **direction** direct supervision of certified staff in specific instructional and non-instructional areas within the limits set by law.^{1&2} Each paraprofessional shall have a job description that limits assigned duties to the scope of the individual's competencies.

~~These tasks shall include, but not be limited to, the following:~~

- ~~1. Performing clerical duties;~~
- ~~2. Tutoring individual pupils;~~
- ~~3. Directing recreational activities;~~
- ~~4. Assisting in classroom instruction;~~
- ~~5. Preparing and organizing instructional materials and equipment;~~
- ~~6. Assisting in the media centers;~~
- ~~7. Conducting pupils from place to place; and~~
- ~~8. Assisting with self-help skills.~~

EVALUATION

The Superintendent shall develop and implement procedures for an annual evaluation and professional development of paraprofessionals. Evaluation results shall be a factor in future employment decisions.

Paraprofessionals

REFERENCES:

¹[KRS 161.044](#); [OAG 76-555](#); [OAG 86-43](#)

²P. L. 107-110 (No Child Left Behind Act of 2001); [KRS 161.010](#)

34 CFR 200.58-200.59

Kentucky High School Athletic Association (KHSAA)

[KRS 17.160](#); [KRS 17.165](#)

[KRS 156.095](#); [KRS 160.380](#); [KRS 161.180](#)

[OAG 73-206](#)

RELATED POLICIES:

03.21 (Hiring)

03.232 (Job Description)

03.28 (Evaluation)

03.6

Adopted/Amended: 01/01/1900

Order #:

Temporary and Substitute Employees

Part-time, temporary, seasonal, and substitute staff may be employed in ~~b~~**B**oard-approved positions as determined by the ~~s~~**S**uperintendent.

Paid leaves of absence and other benefits reserved for full-time regular employees are not applicable to part-time classified, temporary, seasonal and substitute employees.

Seniority and rights to reassignment and/or re-employment shall not accrue as a result of service in any part-time classified, temporary, seasonal or substitute staff assignment.

References are required which will be carefully reviewed as part of the decision to employ or re-employ. References will include former and current supervisors.

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Order #: