

## KSBA Procedure Service

## 2015 Procedure Update (#19) Checklist

**District:** Spencer County Schools

To enable KSBA to track and store your District's administrative procedures in our procedure database, please indicate below what decision you have made on the proposed new/revised procedures enclosed for your review. We will forward printed or reproducible copies of the procedures when we receive this form and update your online manual if you belong to that service.

Procedure Number	Adopt as Written	Adopt with Modification*	Date of District/ Board Review	Keep Current Procedure	Delete Procedure
02.14 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.111 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.16 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.162 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.162 AP.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.18 AP.12	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.18 AP.22	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.211 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.262 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
04.9 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
07.13 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
08.133 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
08.232 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.11 AP.23	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.111 AP.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.111 AP.22	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.121 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.15 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.211 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.224 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.4281 AP.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.4281 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.42811 AP.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.42811 AP.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

03.11 AP. 242	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.121 AP. 24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.1211 AP. 21	✓				

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

\_\_\_\_\_  
Superintendent's Signature

\_\_\_\_\_  
Date

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

EXPLANATION: EFFECTIVE WITH THE 2015-16 SCHOOL YEAR, THE BOARD WILL UTILIZE THE SYSTEM DEVELOPED BY KDE UNLESS A LOCAL BOARD DEVELOPS ITS OWN LOCAL SUPERINTENDENT PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM (SPGES), ALIGNED TO THE STEERING COMMITTEE RUBRIC AND APPROVED BY THE KENTUCKY DEPARTMENT OF EDUCATION (KDE). THIS DOCUMENT WILL REPLACE THE DISTRICT'S EXISTING PROCEDURE. FINANCIAL IMPLICATIONS: INCREASED TRAINING COSTS

ADMINISTRATION

02.14 AP.2

### Evaluation of the Superintendent

The Board will utilize the Kentucky Department of Education evaluation instrument and procedures for the Superintendent Professional Growth and Effectiveness System (SPGES). The instrument and procedures may be found at the link below. Subject to the approval of the Kentucky Department of Education (KDE), the Board may utilize locally developed superintendent evaluation procedures.

<http://education.ky.gov/teachers/PGES/SPGES/Pages/Early-Info.aspx>

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EXPLANATION: REVISIONS TO 702 KAR 1:160 ALLOW MEDICAL EXAMINATIONS TO BE REPORTED ELECTRONICALLY IF THE ELECTRONIC MEDICAL RECORD INCLUDES ALL DATA EQUIVALENT TO THAT ON THE MEDICAL EXAMINATION OF SCHOOL EMPLOYEES FORM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.111 AP.2

**Medical Examination Form**

Medical examinations for District employees, including substitute teachers, must be completed using the form required by Kentucky Administrative Regulation ("Medical Examination of School Employees") or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form.

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EXPLANATION: THE CHANGE IS TO CLARIFY THAT A RESOLUTION MAY NOT ALWAYS BE SATISFACTORY TO EVERY COMPLAINING PARTY.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.16 AP.2

**Grievance Initiation Form**

This form shall be used by an employee who wishes to allege a violation of a constitutional, statutory, or regulatory provision, Board policy, or administrative rule or procedure and to secure at the lowest administrative level an equitable, and prompt, ~~and satisfactory~~ resolution.

Grievant

Employee Name \_\_\_\_\_ Date \_\_\_\_\_

Home Address \_\_\_\_\_

Work Location \_\_\_\_\_ Title \_\_\_\_\_

**GRIEVANCE**

Identify the provision that you allege was violated. Use full names, dates, exact location, and specific occurrence, if appropriate. (Use additional sheet if necessary.)

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What results are you seeking from this grievance initiation? (Use additional sheet if necessary)

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\_\_\_\_\_  
*Employee's Signature*

\_\_\_\_\_  
*Date*

**LEVEL ONE: IMMEDIATE SUPERVISOR**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date grievance received at this level \_\_\_\_\_

**IMMEDIATE SUPERVISOR'S RESPONSE: (USE ADDITIONAL SHEET IF NECESSARY.)**

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\_\_\_\_\_  
*Supervisor's Signature*

\_\_\_\_\_  
*Date*

**THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT.**

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PERSONNEL

03.16 AP.2  
(CONTINUED)

**Grievance Initiation Form**

BOARD POLICY ALLOWS FOR APPEAL OF THE IMMEDIATE SUPERVISOR'S DECISION AND THE OPPORTUNITY TO ADDRESS THE GRIEVANCE TO A HIGHER LEVEL OF AUTHORITY IF THE IMMEDIATE SUPERVISOR IS AN ALLEGED PARTY IN THE COMPLAINT.

**LEVEL TWO: SUPERINTENDENT/DESIGNEE**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date grievance received at this level \_\_\_\_\_

**SUPERINTENDENT'S/DESIGNEE'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)**

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\_\_\_\_\_  
*Superintendent's/Designee's Signature*

\_\_\_\_\_  
*Date*

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT.

THE BOARD WILL NOT HEAR ANY GRIEVANCE CONCERNING PERSONNEL ACTIONS UNLESS THE GRIEVANCE CONCERNS AN ALLEGED VIOLATION OF CONSTITUTIONAL, STATUTORY, REGULATORY, OR POLICY PROVISIONS.

**LEVEL THREE: BOARD OF EDUCATION**

Note: The Board shall not take action on any grievance that does not fall within the authority of the Board, nor shall the Board hear grievances concerning simple disagreement or dissatisfaction with a personnel action.

Date grievance received at this level \_\_\_\_\_

**BOARD OF EDUCATION'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)**

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\_\_\_\_\_  
*Board Chairperson's Signature*

\_\_\_\_\_  
*Date*

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT AFTER THE NEXT REGULARLY SCHEDULED BOARD MEETING.



EXPLANATION: THE CHANGE IS TO CLARIFY THAT A RESOLUTION MAY NOT ALWAYS BE SATISFACTORY TO EVERY COMPLAINING PARTY. IN ADDITION, SCHOOL NUTRITION AUDITORS ADVISE THAT ALL FNS ASSISTANCE PROGRAMS MUST NOTIFY PARTICIPANTS OF THEIR RIGHT TO FILE A COMPLAINT AND HOW TO DO SO.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.162 AP.2

### Harassment/Discrimination Reporting Form

This form provides the opportunity for an employee to report violation(s) of Board Policy 03.162 or 03.262 and to secure an equitable and, prompt, ~~and satisfactory~~ resolution. This procedure shall be implemented in compliance with Board policy and shall be used to document all complaints, whether addressed informally or formally.

Employee's Name	_____	_____	_____
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
Employee's Address	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Employee's Home Phone Number	_____	Daytime Phone #	_____
	Work Site	_____	_____

#### CONFIDENTIALITY

Information regarding an investigation of alleged harassment/discrimination shall be kept confidential to the extent possible. Individuals involved in the investigation shall not discuss information regarding the complaint outside of the investigation process.

#### HARASSMENT/DISCRIMINATION COMPLAINT (USE ADDITIONAL SHEETS IF NECESSARY.)

Date(s)/approximate time of the alleged incident(s): \_\_\_\_\_

Place alleged incident(s) occurred: \_\_\_\_\_

What type of harassment or discrimination was involved in the alleged incident?

☐ sexual      ☐ racial      ☐ on the basis of national origin      ☐ on the basis of disability

☐ other type of harassment/discrimination? If other, specify: \_\_\_\_\_

Name of person you believe is guilty of harassment or discrimination: \_\_\_\_\_

Position: \_\_\_\_\_

If the alleged behavior was directed toward another person, name that person: \_\_\_\_\_

Describe the alleged incident as clearly as possible, including such information as verbal statements (i.e. slurs, threats, other verbal or physical abuse or prohibited requests), what physical contact, if any was involved, what force, if any was used. \_\_\_\_\_

\_\_\_\_\_  
List any witnesses to these events:

\_\_\_\_\_  
*PLEASE ATTACH ANY EXHIBITS OR OTHER TANGIBLE EVIDENCE (i.e., NOTES).*

WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM? \_\_\_\_\_

*I agree that all information reported here is complete, accurate and true to the best of my knowledge and affirm that I honestly believe that the person named harassed or discriminated against me or another person.*

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Received by*

\_\_\_\_\_  
*Date*

PERSONNEL

03.162 AP.2  
(CONTINUED)

**Harassment/Discrimination Reporting Form**

**NOTE:**

- Employees wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, [program.intake@usda.gov](mailto:program.intake@usda.gov).

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html)

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EXPLANATION: THIS LANGUAGE IS BEING REMOVED AS IT IS A LEGAL COURT STANDARD THAT IS NOT CONTROLLED BY POLICY AND THE OFFICE OF CIVIL RIGHTS' POSITION IS THAT IT LEADS STAFF OTHER THAN ADMINISTRATORS TO BELIEVE THEY DO NOT HAVE TO ADDRESS ALLEGATIONS OF HARASSMENT. ALSO, RECENT OFFICE OF CIVIL RIGHTS' INVESTIGATIONS REQUIRE THE INVESTIGATOR TO SUPPLY THE COMPLAINANT AND THE ACCUSED A COPY OF THE NOTICE TO INDIVIDUALS COMPLAINING OF HARASSMENT/DISCRIMINATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.162 AP.21

**Harassment/Discrimination Investigation and Appeals**

(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)

EMPLOYEE COMPLAINANT		
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
WORK SITE		

The Superintendent shall appoint an investigator who is not an alleged party in the complaint to investigate allegations of harassment/discrimination. The investigator shall be trained in this area, and her/his duties shall be assigned by the Superintendent/designee or, for contractors, set out in a contract, as appropriate. If the Superintendent is the alleged party, the Board shall designate an outside investigator and, after presentation of the final investigative report, determine when and how it is to be released. All instances involving suspected child abuse or criminal conduct shall be reported as required by law.

ALLEGED HARASSER/DISCRIMINATING PARTY: \_\_\_\_\_

Investigator: \_\_\_\_\_ Date Complaint Form is Received: \_\_\_\_\_

**INFORMAL PROCEDURE**

If both parties agree, prior to a formal grievance process an administrator may facilitate a conversation between the complainant and the party alleged to have harassed or discriminated against the complainant. Both the complainant and the accused party may be accompanied by a person of their choice. If both parties feel that a resolution has been achieved, no further action need be taken. The results of an informal resolution shall be reported by the facilitator, in writing, to the Principal/immediate supervisor, along with a signed agreement, if one is reached. If any of the interested parties choose not to utilize the informal procedure, or feel that it has been unsuccessful, s/he may opt to proceed to the formal grievance procedure. However, any complaints directed at District employees or alleging criminal acts must be formally investigated and/or reported to state authorities as required by law.

Was this complaint resolved informally, as indicated by an agreement signed by both parties?

☐ Yes ☐ No Date: \_\_\_\_\_ Facilitator: \_\_\_\_\_

**FORMAL PROCEDURE**

Employees should make their complaint to their Principal/immediate supervisor, who shall immediately, without screening or beginning an investigation, inform the Superintendent of receipt of the complaint. Otherwise, the complaint can be filed directly with the Superintendent or, in cases involving sexual harassment/discrimination, with the Title IX/Equity Coordinator. Employees who have knowledge of alleged or observed harassment/discrimination shall immediately notify the alleged victim's Principal, immediate supervisor, or the Superintendent. ~~Without a report being made to the Principal or immediate supervisor, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.~~

The Superintendent shall designate an individual to investigate the complaint. If necessary, the investigator will seek assistance from District administrators. In some instances it may be necessary to involve legal counsel, when authorized by the Superintendent, or by the Board if the Superintendent is the subject of the complaint.

PERSONNEL

03.162 AP.21  
(CONTINUED)

**Harassment/Discrimination Investigation and Appeals**

**FORMAL PROCEDURE (CONTINUED)**  
**TIMELINE**

The investigator shall provide the complainant and the accused with a copy of the District's Policy 03.162 or 03.262 and Notice to Individuals Complaining of Harassment/Discrimination and inform the complainant and the accused of required timelines that have been established for initiation and completion of an investigation.

**CORRECTIVE ACTION**

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN THREE (3) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the investigator's decision and the opportunity to address the complaint to a higher level of authority. An appeal must be made within ten (10) working days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? \_\_\_\_\_ Date \_\_\_\_\_

**FIRST APPEAL LEVEL**

EMPLOYEE COMPLAINANT _____
<div style="display: flex; justify-content: space-between;"><div><i>Last Name</i></div><div><i>First Name</i></div><div><i>Middle Initial</i></div></div>
WORK SITE _____

ALLEGED HARASSER/DISCRIMINATING PARTY: \_\_\_\_\_

Superintendent/designee who will consider appeal: \_\_\_\_\_

Date appeal and related data received by Superintendent/designee: \_\_\_\_\_

In some instances it may be necessary to involve legal counsel at the appeal level, when authorized by the Superintendent, or by the Board if the Superintendent is the subject of the complaint.

**CORRECTIVE ACTION**

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN THREE (3) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the decision made at this level and the opportunity to address the complaint to the Board of Education. An appeal must be made within ten (10) working days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? \_\_\_\_\_ Date: \_\_\_\_\_

PERSONNEL

03.162 AP.21  
(CONTINUED)

**Harassment/Discrimination Investigation and Appeals**

**SECOND APPEAL LEVEL**

EMPLOYEE COMPLAINANT	_____	_____	_____
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
WORK SITE	_____		

ALLEGED HARASSER/DISCRIMINATING PARTY: \_\_\_\_\_

Board Chairperson: \_\_\_\_\_

Date appeal and related data received by the Chairperson on behalf of the Board: \_\_\_\_\_

**CORRECTIVE ACTION**

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN THREE (3) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

**GUIDELINES**

1. The Board shall not hear grievances concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. In some instances it may be necessary to involve legal counsel, when authorized by the Board.
3. The Superintendent/designee shall implement corrective action as determined by the Superintendent or by the Board, as appropriate under law, after appeal rights have been exhausted. If the Superintendent is subject to corrective action, the Board shall implement the action.
4. The District is prohibited from disclosing personally identifiable information contained in student discipline records under the Federal Educational Rights and Privacy Act and corresponding state law.
5. Employee evaluation and private reprimand information generally is confidential and may require consent of the employee prior to release.

**RELATED POLICIES:**

09.2211, 09.227

**RELATED PROCEDURES:**

09.227 AP.1, 03.162 (ALL PROCEDURES)



EXPLANATION: THE KENTUCKY BOARD OF EDUCATION RESCINDED 704 KAR 3:345 AND CREATED A NEW REGULATION 704 KAR 3:370 TO ESTABLISH A STATEWIDE PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM (PGES) FOR ALL CERTIFIED PERSONNEL. THE EVALUATION PROCEDURES AND FORMS SHALL BE DEVELOPED BY THE 50/50 COMMITTEE IN CONFORMITY WITH THE NEW REGULATION. APPEALS PROCEDURES ARE LOCATED IN ANOTHER AREA. THIS CHANGE IS TO CLARIFY THAT RECORDS ARE TO BE KEPT CONFIDENTIAL AS REQUIRED BY LAW. FINANCIAL IMPLICATIONS: POTENTIAL INCREASED TRAINING COSTS

PERSONNEL

03.18 AP.12

- CERTIFIED PERSONNEL -

### Confidentiality of Records

Personnel evaluation records, specifically the personnel evaluation folder and its contents, will be kept as a part of the employee's personnel file and will be treated as confidential as required by law ~~will be treated with the same confidentiality as other personnel records~~. During an appeal/hearing, evaluation records will be kept in a secure location designated by the Superintendent.

#### ACCESSIBILITY

Evaluation records will be accessible only to:

1. Members of the District Evaluation Appeals Panel when an employee has appealed his/her summative evaluation to the Panel.
2. Administrators who supervise, or share the supervision of, the evaluatee. Generally, these administrators will include the Principal/Assistant Principal in the evaluatee's building, the Superintendent, and other District-level administrative staff members, as designated by the Superintendent.
3. The Board; on advice of legal counsel and if the upon a majority vote of Board members vote to request such when access to the information is required for lawful District purposes and on advice of legal counsel. Access may be permitted without a vote when such records are relevant and necessary to hearing matters or proceedings before the Board such as in the case of a demotion hearing under KRS 161.765. members shall review evaluation records in a Except as otherwise required or authorized by law, access shall take place in closed session ~~Board meeting in the presence of the Superintendent.~~
4. Records may be subpoenaed in cases where litigation occurs.

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#### REFERENCES:

KRS 61.878

KRS 156.557

KRS 161.765

704 KAR 3:370

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#### RELATED PROCEDURE:

03.18 AP.11

EXPLANATION: THE KENTUCKY BOARD OF EDUCATION RESCINDED 704 KAR 3:345 AND CREATED A NEW REGULATION, 704 KAR 3:370, TO ESTABLISH A STATEWIDE PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM (PGES) FOR ALL CERTIFIED PERSONNEL. THESE CHANGES REFLECT THE NEW TRAINING REQUIREMENTS.  
FINANCIAL IMPLICATIONS: POTENTIAL INCREASED TRAINING COSTS

PERSONNEL

03.18 AP.22

-CERTIFIED PERSONNEL-

### Evaluation Committee/Evaluators and Observers

#### EVALUATION COMMITTEE TASKS

The following tasks have been completed by the Evaluation Committee, which shall consist of equal numbers of teachers and administrators:

- ☐ Developing the processes to be used in formative and summative evaluations for certified positions below the level of District Superintendent.
- ☐ Developing all forms associated with the evaluation process.
- ☐ Establishing a procedure for certified employees to review their summative evaluation.

#### TRAINING AND TESTING OF EVALUATORS AND OBSERVERS

In meeting the evaluation requirements of KRS 156.557 and 704 KAR 3:370, primary-evaluators shall be trained, tested, and approved on a four (4) year cycle, and observers shall be trained as follows demonstrate competency in the following:

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- ☐ Effective teaching practices;
- ☐ Techniques of classroom observation;
- ☐ Conducting conferences;
- ☐ Techniques for assisting in the development of professional growth plans;
- ☐ Conducting summative evaluations; and
- ☐ Using the District's evaluation forms.

Year one (1) of the District's evaluator training cycle shall include the following training requirements:

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- a) Training on KRS 156.557 and 704 KAR 3:370:
- b) Training in identifying effective teaching and management practices, in effective observation and conferencing techniques, in development of student growth goals, in providing clear and timely feedback, in establishing and assisting with a professional growth plan, and in summative decision techniques:
- c) Training provided by KDE for all certified administrator evaluators who have never evaluated certified school personnel; and
- d) Training, for all other evaluators, by a provider who has been approved by KDE as a trainer for the Instructional Leadership Improvement Program established in 704 KAR 3:325.

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Evaluation Committee/Evaluators and ObserversTRAINING AND TESTING OF EVALUATORS AND OBSERVERS (CONTINUED)

Year one (1) of the District's evaluator training cycle shall include the following testing requirements:

- a) An evaluator shall successfully complete testing of research-based and professionally accepted teaching and management practices and effective evaluation techniques;
- b) The testing shall be conducted by KDE or an individual or agency approved by KDE; and
- c) The testing shall include certification as an observer through the KDE-approved observer certification process for an evaluator who is evaluating teachers or other professionals.

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KDE shall issue year one (1) approval as an evaluator upon the evaluator's successful completion of the required evaluation training and testing program and successful completion of observer certification.

Years two (2) and three (3) of the District's evaluator training and testing cycle shall include a minimum of six (6) hours in each year and shall include:

- (a) Observer calibration training, in the KDE-approved technology platform, for all evaluators who observe teachers or other professionals, for the purpose of evaluation;
- (b) Update training on professional growth and effectiveness statutes and administrative regulations; and
- (c) Training for evaluators on any changes to the Professional Growth and Effectiveness System and certified evaluation plan, policies, or procedures.

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Year four (4) of the District's evaluator training and testing cycle shall include refresher evaluator training and, if evaluating teachers or other professionals, recertification training and testing.

The District shall require peer observers to complete the KDE-approved peer observer training at least once every three (3) years.

DISTRICT CONTACT

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The District shall designate a contact person responsible for monitoring evaluator training and for implementing the system.



PERSONNEL

03.18 AP.22

(CONTINUED)

**Evaluation Committee/Evaluators and Observers**

**FREQUENCY OF SUMMATIVE EVALUATIONS**

At a minimum, summative evaluations shall occur on a schedule as specified below:

Position	Annually	Every two (2) years	Every three (3) years
Superintendent	X		
Administrators	X		
Non-tenured	X		
Tenured			X

EXPLANATION: REVISIONS TO 702 KAR 1:160 ALLOW MEDICAL EXAMINATIONS TO BE REPORTED ELECTRONICALLY IF THE ELECTRONIC MEDICAL RECORD INCLUDES ALL DATA EQUIVALENT TO THAT ON THE MEDICAL EXAMINATION OF SCHOOL EMPLOYEES FORM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.211 AP.2

**Medical Examination Form**

Medical examinations for District employees must be completed using the form required by Kentucky Administrative Regulation ("Medical Examination of School Employees"), or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form.

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EXPLANATION: THE CHANGE IS TO CLARIFY THAT A RESOLUTION MAY NOT ALWAYS BE SATISFACTORY TO EVERY COMPLAINING PARTY.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.262 AP.2

**Harassment/Discrimination Forms**

Please refer to procedures coded to the 03.162 policy area. Those procedures provide the opportunity for an employee to report violation(s) of Board Policy 03.262 and to secure at the lowest administrative level an equitable and prompt resolution.

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EXPLANATION: THIS CHANGE IS TO CLARIFY THAT THE CPA/CPA FIRM SELECTED FOR DISTRICT AUDITS MUST MEET THE REQUIREMENTS OF THE STATE COMMITTEE FOR SCHOOL DISTRICT AUDITS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.9 AP.1

### Audits

#### BOARD ACCOUNTS

All accounts under Board control shall be audited annually by an approved CPA/CPA firm. The following procedures will be implemented:

1. The Board shall request audit proposals containing criteria set forth by appropriate state agencies and the local board.
2. The Superintendent shall review the proposals and through competitive negotiations recommend for Board approval a CPA/CPA firm to conduct the audit. The recommendation shall include a cost estimate.
3. ~~The Board shall request approval of the CPA/CPA firm~~ shall meet requirements imposed by ~~from the State Committee for School District Audits (Committee) and the contract with the CPA/CPA firm shall be subject to approval by the Committee.~~

The Board may request to meet with the auditor prior to the audit to discuss expectations.

4. The CPA/CPA firm shall conduct the audit as soon as possible after the close of the fiscal year. Copies of the audit report shall be sent to Board members prior to the auditor's presentation of the report to the full Board.

Unless the CPA/CPA firm obtains authorization from the State Committee for School District Audits for a later date, the audit report shall be presented to the Board at the October meeting.

5. Following presentation of the audit report, the Superintendent/designee shall present to the Board for its approval, internal control strategies to respond to significant deficiencies and material weaknesses identified in writing by the auditor. In addition, a timeline for taking action and reporting progress back to the Board shall be established.
6. A written report is made to the Chief State School Officer of any audit exceptions and the progress made to correct them.
7. Copies of the audit report shall be distributed to Board members and to appropriate state agencies by the date in November designated by KDE (unless an extension has been granted at District request). The audit report shall be accompanied by a management letter from the auditor to the Superintendent and other documents required by the State Committee for School District Audits. File copies are placed in the office of the Principal(s) and in the office of the Superintendent and shall be open for public inspection.

An exit conference shall be held between the auditing staff and District staff, with two (2) Board members in attendance.

8. When funding is available, a request is made to the State for reimbursement.

EXPLANATION: 2 C.F.R. 200.318 REQUIRES THAT SCHOOL DISTRICTS HAVE A CODE OF CONDUCT FOR PROCUREMENT USING FEDERAL FUNDS. THIS CONFLICT OF INTEREST LANGUAGE IS BEING MOVED TO DISTRICT POLICY 07.13 TO SPEAK TO THAT REQUIREMENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.13 AP.1

### **Bidding of School Food Service Supplies**

#### **LIKE ITEMS IN EXCESS OF \$20,000**

If the total amount of purchases for like items is \$20,000 or more, formal bid procedures will be utilized. Food, food products, supplies, and equipment will be bid through or in accordance with a schedule determined by the local educational cooperative and/or local vendor prequalification's throughout the year.

#### **BID SPECIFICATIONS**

1. The bid specifications, including delivery and storage instructions, for all lunchroom/cafeteria supplies shall be prepared by the ~~SFS-Direector~~School Food Service/School Nutrition Program Director.
2. The request for bid shall be advertised in the local newspaper with the greatest circulation in the District.
3. Specifications and bid documents shall be mailed to all potential bidders.
4. Bids shall be opened and tabulated by the Superintendent or designee, ~~SFS-Direector~~School Food Service/School Nutrition Program Director and at a minimum, one (1) other staff member.
5. The bids shall be submitted to the Board of Education for action.

#### **PERISHABLES**

Applicable federal law (~~7 C.F.R. §3016.36~~) does not provide a bidding exception for perishable food items purchased with school food service funds. Perishables purchased using school food service funds shall be procured in accordance with ~~7 CFR 3016.36 and 7 CFR 210.212~~ C.F.R. 200.320.

#### **EMERGENCY PURCHASES**

If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the Superintendent or designee.

The log of emergency purchases shall include: item name, dollar amount, vendor, and reason for emergency.

#### **RECORDS MANAGEMENT**

The following records will be maintained for a period of three (3) years plus the current year:

1. Records of all phone quotes
2. Logs of all emergency and noncompetitive purchases
3. All written quotes and bid documents
4. Comparison of all price quotes and bids with the effective dates shown
5. Price comparison showing bid or quote awarded
6. Log of approval substitutions

Bidding of School Food Service Supplies**CONFLICT OF INTEREST**

~~The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by School Food Service Program Funds.~~

~~No employee, officer, or agent of the District shall participate in selection or in the award or administration of a contract supported by Program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:~~

- ~~) District employee, officer, or agent;~~
- ~~) Any member of his/her immediate family;~~
- ~~) His/her partner;~~
- ~~) An organization that employs or is about to employ one of above.~~

- ~~1. District employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.~~
- ~~1. The purchase during the school day of any food or service from a contractor for individual use is prohibited.~~
- ~~1. The removal of any food, supplies, equipment, or school property such as records, recipe books, and the like is prohibited.~~
- ~~1. The outside sale of such items as used oil, empty cans, and the like will be sold by contract between the District and the outside agency. Individual sales by any school person to an outside agency or other school person is prohibited.~~

**DISCIPLINARY ACTION**

~~Failure of any employee to abide by the above-stated code may result in disciplinary action, including but not limited to, a fine, suspension, or dismissal.~~

**RELATED PROCEDURE:**

04.32 AP.1



EXPLANATION: THE STATE'S REQUEST FOR A FOUR (4) YEAR NCLB WAIVER EXTENSION HAS BEEN GRANTED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.133 AP.1

### Extended School/Supplemental Educational Services

Eligible students shall be provided extended school (ESS) and/or supplemental educational services (SES) in accordance with the following procedures.

#### ELIGIBILITY FOR EXTENDED SCHOOL SERVICES

One (1) or more of the following methods of documentation shall be used to determine which students shall be eligible for and in the greatest need of extended school services:

1. Teacher recommendation;
2. Academic performance data, including diagnostic, formative, interim, or summative assessments;
3. Student performance on high school, college, and workforce readiness assessments required by KRS 158.6459; or
4. Behavioral and developmental progress as documented in formal and informal assessments and reports.

#### SELECTION FOR EXTENDED SCHOOL SERVICES

Selection criteria for the extended school services program shall be in compliance with applicable administrative regulations.

#### NOTIFICATION TO PARENTS OF EXTENDED SCHOOL SERVICES

Parents of eligible students shall be notified using procedure 08.133 AP.2.

The District will provide a notice of the availability of extended school services, the rationale for offering extended school services, and consequences of not obtaining a high school diploma.

#### STUDENTS ATTENDING PRIVATE, PAROCHIAL OR HOME SCHOOLS

Students residing within the District's boundaries who attend private, parochial, or home schools must apply to be eligible for the after school tutorial program. Upon application, they may also be considered for enrollment in the summer school program as required by P.L. 107-110 (No Child Left Behind Act of 2001). Their eligibility and selection shall be based on the same criteria as students enrolled in the District schools.

~~Because Pending renewal of the Kentucky request to the U. S. Dept. of Education for flexibility was granted, the following provision shall be waived through the 2014-2015 school year. If the request is not renewed, then the following section shall be in force.~~

#### SUPPLEMENTAL EDUCATIONAL SERVICES

Eligible students shall be provided supplemental educational services (SES). "Eligible students" mean all students from low-income families who attend Title I schools that are in their second year of school improvement, in corrective action, or in restructuring. "Supplemental educational services" means additional academic instruction designed to increase students' academic achievement such as tutoring, remediation, distance-learning technologies, or other educational interventions provided by state-approved service providers outside of the regular school day.

**Extended School/Supplemental Educational Services**

**SUPPLEMENTAL EDUCATIONAL SERVICES (CONTINUED)**

In providing supplemental educational services, the District shall:

1. Notify parents of eligible children about the availability of supplemental educational services in a manner that is clear and concise, as well as clearly distinguishable from other school-related information that parents receive.

The District shall post on the District/school web site(s) information about available supplemental educational services to include:

- a. The number of students who were eligible for and who participated in supplemental educational services (SES), beginning with data from the 2007-08 school year and for each subsequent year; and
  - b. A list of SES providers approved to serve the District, as well as the locations where services are provided for the current school year.
2. Help parents, at their request, choose a provider;
  3. Determine which students should receive services, pursuant to criteria set forth in federal law, if not all students can be served;
  4. Enter into agreements with service providers whom the parents select;
  5. Assist the Kentucky Department of Education (KDE) in identifying potential providers within the District;
  6. Provide information KDE needs to monitor the quality and effectiveness of the services that providers offer; and
  7. Protect the privacy of students who receive supplemental educational services.

**REFERENCES:**

KRS 158.6459  
704 KAR 3:390

**RELATED PROCEDURE:**

08.133 AP.2

EXPLANATION: THIS RECOMMENDED CHANGE WILL CLARIFY THAT THE FEE WAIVER PROCESS WILL APPLY WHETHER THE DISTRICT IS USING THE COMMUNITY ELIGIBILITY PROVISION (CEP) OR THE FREE AND REDUCED PRICE MEAL PROGRAM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.232 AP.1

**Instructional Resource Procedures**

District personnel shall comply with requirements established in Kentucky Administrative Regulations and other documents and forms prepared and distributed by the Kentucky Department of Education.

For waiver of student fees for students who qualify ~~for free and reduced price meals~~, see Procedure 09.15 AP.21.

**RELATED PROCEDURES:**

04.7 AP.2 (inventory form)

09.15 AP.21

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