

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

780 KAR 3:072, Attendance, compensatory time, and leave for certified and equivalent service. (*First Reading*)

Rationale:

To bring forward proposed amendments to this administrative regulation for feedback and then bring it back for a second reading in August for approval. The amendments update the regulation and adjust forms of leave for Kentucky Tech employees.

Applicable Statute or Regulation:

156.029, 156.802, 156.808, 29 C.F.R. 825, 29 U.S.C. 201-219

History/Background:

Existing Policy: KRS 156.029 discusses the membership and functions of the Kentucky Board of Education. KRS 156.802 gives the Kentucky Department of Education's Office of Career and Technical Education the responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area technology centers. KRS 156.808(3)(g) gives the Kentucky Board of Education the authority to promulgate regulations regarding attendance, compensatory time, and other forms of leave for Kentucky Tech employees. 29 C.F.R. 825 requires the granting of family and medical leave. 29 U.S.C. 201-219 establishes fair labor standards necessary for health, efficiency, and general well-being of workers.

Summary: The proposed amendments grant twenty two and a half (22.5) hours of personal leave and emergency leave, and seventy five (75) hours of sick leave to principals and teachers in the Kentucky Tech system. The amendments establish that personal leave, emergency leave, and sick leave will accrue at the beginning of the school year, similar to a local school district. Accrual of compensatory time for teachers and principals has been eliminated. School-based employees will receive time off to vote, instead of accumulating voting leave due to the additional forms of leave being added. Adverse weather leave has been amended to become more flexible to meet the needs of feeder schools. These amendments also provide updated terminology, information, and processes related to Career and Technical Education (CTE) programs in Kentucky.

The proposed amendments are needed for the following reasons:

- To bring the Kentucky Tech system into alignment with the number of days worked by teachers and principals in local school districts, the Kentucky School for the Blind, and the Kentucky School for the Deaf.
- To increase flexibility in the Kentucky Tech system to meet the needs of local schools and districts.
- To incentivize teachers to spend less time away from their classroom throughout the school year.
- To simplify the personnel system.

Budget Impact: The proposed changes to this administrative regulation have no fiscal impact on the Kentucky Department of Education's budget.

Groups Consulted and Brief Summary of Responses

- *Kentucky Tech Area Supervisors*
- *Kentucky Tech Principals and Teachers*
- *The Local Superintendents Advisory Council*
- *Kentucky Department of Education, Office of Finance and Operations Staff*

There has been extensive opportunity for Kentucky Tech employees at all levels to provide feedback on the proposed amendments through regional Skype meetings, an online survey and an informational webinar. All parties are in support of the the proposed amendments.

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Commissioner of Education

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