KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Information Item:

Kentucky Department of Education (KDE) Combined Employment Report (All offices including Career and Technical Education)

Rationale:

To provide the Kentucky Board of Education (KBE) with the current employment data.

Applicable Statute or Regulation:

KRS Chapter 18A, KRS 156.010, KRS Chapter 161, House Bill 502 (Budget Bill-2000 General Assembly), executive order 96-612 and 2013-841, House Bill 727 (1998 General Assembly)

History/Background:

Existing Policy: Effective November 15, 2013, the minority employment hiring goal for all of Kentucky state government was established at 12.2%. KDE's minority employment goal is consistent with the state government goal and is designed to: 1) provide equal opportunities for recruitment and selection at all levels of the department; 2) mirror the student population of Kentucky's schools; and 3) provide for a multi-talented and diverse workforce that can provide quality leadership and professional services to local school district administrators, teachers, parents, students and citizens.

KDE has a long standing history of being in compliance with and usually surpassing the minority employment goal. On October 16, 2012, the number of KDE staff more than doubled with the addition of the Office of Career and Technical Education. Due to factors such as geographic location, demographics and position requirements, recruitment of minority staffing at the 53 Area Technology Centers is difficult. The department has implemented its hiring policies and procedures for the Office of Career and Technical Education in an attempt to improve minority recruitment and hiring. These include minority representation on all interview panels and interviewing a minimum of two minority candidates if identified and qualified. KDE continuously seeks opportunities to increase minority awareness and recruitment.

Summary: Current employment data is found below:

I. KDE (excluding the Office of Career and Technical Education) as of the close of business on October 31, 2017, employed 523 full-time employees (458 non-minority employees (87.6%) and 65 minority employees (12.4%).

- The department's Frankfort-based, full-time workforce of 328 employees includes 286 non-minority employees (87.2%) and 42 minority employees (12.8%).

During the two-month period from September 1, 2017 – October 31, 2017 there were:

- 9 appointments
- 11 separations from employment
    - 4 separations from support positions
    - 6 separation from professional positions
    - 1 separation from a leadership position

During the two-month period from September 1, 2017 – October 31, 2017 there were:

- 16 positions for which interviews were held
- 302 applicants who expressed an interest in, via self-nomination, those positions
- 116 candidates selected to be reviewed and interviewed if qualified for those positions by the supervisor/manager in the office/division

II. The Office of Career and Technical Education, as of the close of business on October 31, 2017 employed 599 full-time employees (587 non-minority employees (98.0%) and 12 minority employees (2.0%).

During the two-month period from September 1, 2017 – October 31, 2017 there were:

- 11 appointments
- 4 separations from employment
    - 1 separation from support positions
    - 3 separations from professional positions
    - 0 separations from leadership positions

During the two-month period from September 1, 2017 – October 31, 2017 there were:

- 13 positions for which interviews were held
- 79 applicants who expressed an interest in, via self-nomination, those positions
- 76 candidates selected to be reviewed and interviewed if qualified for those positions by the supervisor/manager in the office/division

III. The following notations are designed to provide clarification for the preceding statistics:

- All KDE positions (including CTE) are advertised on the KDE website and all positions that require a merit register are posted on the Personnel Cabinet website for 10 days.

- KDE's internal policy requires an interview panel of a minimum of three (3) people, one (1) of whom must be a minority, and a minimum of four (4) candidates must be interviewed, two (2) of whom must be a minority, if qualified and identified.

- KDE's hiring process is subject to and in compliance with Personnel Memo 08-18 that requires the employing agency to offer the opportunity to interview to a minimum of five

(5) identified veterans listed on the certified register list. If there are fewer than five (5) identified veterans, then the employing agency shall offer an opportunity to interview to all identified veteran applicants.

- Per Personnel Memo 12-33, the Personnel Cabinet seeks voluntary information from all applicants regarding an applicant's race, gender, or national origin. This information is maintained separately from the official application and assists the Commonwealth of Kentucky in achieving its affirmative action goals. This information is useful in creating a diverse applicant pool for consideration in the hiring process; however, this data is not intended to be used as the determining factor in the hiring decision. This is to ensure compliance with the Equal Employment Opportunity Commission (EEOC).

KDE's hiring is currently subject to the requirements of Executive Order 2015-050 issued on December 22, 2015. The executive order imposes a hiring moratorium and sets forth procedures for establishing, posting and filling job vacancies. Prior to this executive action, KDE's hiring was subject to the requirements of Executive Order 2008-011. On December 22, 2015, Governor Bevin issued Executive Order 2015-050, which set forth new requirements and specifically rescinded paragraph 3 of executive order 2008-011. Relevant excerpts of the hiring procedures of both executive orders are attached.

The following notations are designed to provide clarification for the report in its entirety:

- Full-Time Employee, for the purpose of this report, is defined as all KRS Chapter 18A, KRS Chapter 161 employees and KRS Chapter 156.

- For the purpose of this report, **Leadership** is all non-graded, non-merit KBE/KDE employees, policy-making positions, and principals, excluding the KBE/KDE Education Academic Program Manager classification; **Professional** reflects all KRS Chapter 18A positions, grade 15 and above, all KRS Chapter 156 positions and all KRS Chapter 161 positions; and **Support** includes all KRS Chapter 18A positions grade 14 and below.

- Appointments and separations are not mutually exclusive. As KDE employees are many times the successful candidates for positions, a single move may create a separation and an appointment. For the purpose of this report, a separation includes: resignations, retirements, dismissals, transfers out of KDE, and deaths.

Attached are two charts, one showing overall and minority employment by office and the other showing minority employment historical data.

Recruitment Efforts:

KDE human resource staff continue to utilize The Commonwealth of Kentucky's Office of Employment and Training (OET) Kentucky Career Center website to post job announcements for viewing by job seekers, Kentucky Career Center staff, and partner agencies assisting individuals in their search for employment opportunities. This site also allows HR staff to review resumes by all job seekers and communicate directly with them.

On September 29, 2017, Human Resource staff attended a career fair at Kentucky State University. Attendees were informed of current job openings, postings and how to apply for positions located at the Kentucky Department of Education.

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Commissioner of Education

Date:

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I. Cited from Executive Order 2008-011:

REDUCE THE STATE WORKFORCE THROUGH ATTRITION

3. The size of the workforce will be reduced through attrition. All hiring actions must be justified as essential to the delivery of services and that funds are available to sustain the position within reduced budgeted amounts. All personnel actions must be justified and approved by the Secretary of the Governor's Executive Cabinet prior to submission to the Personnel Cabinet for processing. This includes approval of actions that increase costs for existing personnel.

II. Cited from Executive Order 2015-050:

A hiring moratorium covering all vacant positions throughout State Government is immediately effective as of the date hereof. The essential elements of this personnel policy are as follows:

1. The overall size of the state workforce shall be reduced through attrition and other means as determined. Therefore, all hiring actions must be justified and approved in accordance with this Order. This justification shall specify why the hiring action is essential to the delivery of services by the agency and affirm that funds are available to sustain the position within budgetary constraints.
2. Effective immediately, no appointments to vacant positions in any agencies of State Government shall be made except as outlined hereinafter.
3. All personnel actions relating to unclassified positions, including the establishment of new positions, shall be justified by the Agency Head submitting the request and approved by the Secretary of the Governor's Executive Cabinet. All personnel actions relating to classified positions, including the establishment of new positions, shall be justified by the Agency Head submitting the request and approved by the Secretary of the Personnel Cabinet. Only those positions determined to be essential shall be authorized for approval.
4. Positions vacated after this date also shall be subject to the same proof of necessity requirements and shall be reviewed by the Secretary of the Personnel Cabinet on a regular basis.
5. All vacant positions shall be reviewed by the Agency Heads with a view toward eliminating all such positions that are not essential to the maintenance of essential Government services.
6. Paragraph 3 of Executive Order 2008-011 is hereby rescinded and superseded by this Executive Order.