

# WOODFORD COUNTY SCHOOLS

2019-2020

**WOODFORD COUNTY**  
PUBLIC SCHOOLS



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*Where Great Minds Meet*

## CLASSIFIED STAFF HANDBOOK

**D. Scott Hawkins**  
Superintendent

**Employee Acknowledgement of Receipt  
of the  
Classified Employee Handbook Form**

I, \_\_\_\_\_, have received a copy of the Employee Handbook  
Employee Name  
issued by the District, and understand and agree that I am to review this handbook in detail and to consult Woodford County district and school policies and procedures and/or with my Principal/supervisor if I have any questions concerning its contents.

I understand and agree:

1. that this handbook is intended as a general guide to District personnel policies and that it is not intended to create any sort of contract between the District and any one or all of its employees;
2. that the Woodford County Board of Education reserves the right, and has the sole discretion, to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as may be required by contractual agreements and law. The District reserves the right, and has the sole discretion, to modify or change any portion of this handbook at any time, with or without prior notice.
3. that in the event the District modifies any of the policies contained in this handbook, the changes will become binding on me immediately upon issuance of the new policy by the District.
4. that I need to refer to the board policy manual for a complete up-to-date listing of policies and procedures.

I understand that as an employee of the District I am required to review and follow the policies set forth in this Employee Handbook and I agree to do so. I also understand that I may find a complete listing of all board policies and procedures at <http://policy.ksba.org/W11/>.

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

\_\_\_\_\_  
Date

**Return this signed form to your Principal.**

**WOODFORD COUNTY  
PUBLIC SCHOOLS**



*Where Great Minds Meet*

Message from the Superintendent  
of  
Woodford County Public Schools

Welcome to the 2019-2020 school year. I am certain this will be an exciting and rewarding year for you and our kids. The goal of the Woodford County Public Schools is to provide the best educational experience for all of our students. Through the collaborative effort of teachers, administrators, support staff, parents and the community, we can accomplish this goal.

It is important that you become familiar with the policies and procedures of our school district and those are included in this handbook. Should you have any questions concerning specific board policies or administrative procedures, please direct those to your immediate supervisor.

I believe education is the most rewarding profession in our society. We have the opportunity to make a significant, positive difference in the lives of our students. I am glad you are a part of the Woodford County Schools and I look forward to working with you this year.

Sincerely,

D. Scott Hawkins  
Superintendent

# WOODFORD COUNTY PUBLIC SCHOOLS



*Where Great Minds Meet*

## Mission of Woodford County Schools

The Woodford County Public Schools, in partnership with families and the community, will provide challenging learning opportunities for all students, promote student growth and achievement, and prepare students to strive for excellence.

## Core Values

The Woodford County Public Schools believes these core values are an essential foundation to achieving the mission of the district.

**Partnership**—The Woodford County Public Schools will foster respectful, honest and caring relationships among students, families, staff and the community. We will establish a collaborative effort by all to achieve our common mission.

**Respect**—The Woodford County Public Schools will show consideration for all. We will seek to understand and accept our students' diverse needs while maintaining high expectations.

**Integrity**—The Woodford County Public Schools is committed to making decisions based on what is best for students. We will have the courage to do what is right.

**Determination**—The Woodford County Public Schools will serve our students with an intentional purpose and tireless focus on student achievement. We are committed to preparing our students for productive citizenship.

**Excellence**—The Woodford County Public Schools is dedicated to achieving the highest standard in all that we do. Each employee will provide exemplary service to support student achievement.

### BOARD OF EDUCATION MEMBERS

Mr. Ambrose Wilson IV, Chair	P.O. Box 3999 Midway 40347	846-9617
Ms. Debby Edelen, Vice Chair	732 Eureka Drive, Versailles 40383	879-8960
Ms. Allison Richardson	1300 Gastineau Lane., Versailles 40383	621-1736
Ms. Dani Bradley	621 Adena Trace, Versailles 40383	699-6818
Ms. Sherri Springate	129 South Hill Road, Versailles 40383	753-4445

### ***ADMINISTRATIVE OFFICES***

**330 PISGAH PIKE, VERSAILLES, KY 40383  
879-4600**

D. Scott Hawkins, Superintendent (Ext. 2103)  
Angel Cooper, Administrative Assistant (Ext. 2102)

### ***DEPARTMENT OF CURRICULUM AND INSTRUCTION***

**330 PISGAH PIKE, VERSAILLES, KY 40383  
879-4600**

Jimmy Brehm, Chief Academic Officer (Ext. 2106)  
Martha Jones, Director of Student Achievement/DAC (Ext. 2107)  
Dana Christian, Secretary to Curriculum & Instruction (Ext. 2105)  
Jan Sellers, Coordinator of Multi-Tiered Systems of Support (Ext. 2108)

### ***DEPARTMENT OF STAFF AND STUDENT SERVICES***

**330 PISGAH PIKE, VERSAILLES, KY 40383  
879-4600**

Garet Wells, Director of Staff/Student Services (Ext. 2110)  
Kassi Bicknell, Secretary/Account Clerk, Ext. (2101)  
Jill Hargis, Social Worker/Asst. to the DPP (Ext. 2111)  
Sara Swinford, Social Worker (Ext. 5207)  
Janice Frost, Benefits Coordinator (Ext. 2109)  
Courtney Quire, Food Service Director (Ext. 2118)  
Kathy Kurtz, District SSTS Student Information Systems Coordinator (Ext. 2123)  
Jeanne Halter, Home/Hospital (Ext. 2112)  
Marti Congleton, Home/Hospital (Ext. 2112)  
Nicole Henriott, Substitute Caller (Ext. 2112)

### ***FAMILY RESOURCE CENTERS***

Olivia Britton, Woodford County Family Resource Center  
Simmons 879-4677      Northside 879-4697  
Abby Van Meter, Huntertown/Southside Family Resource Center  
Huntertown 879- 4687      Southside 879-4667

### ***DEPARTMENT OF TECHNOLOGY***

**330 PISGAH PIKE, VERSAILLES, KY 40383  
879-4600**

Bob Gibson, Chief Information Officer/Director of Technology (Ext. 2120)  
James Tuttle, LAN Technician (Ext. 2122)  
Meghan Bottom, Technology Integration Specialist (Ext. 2121)  
Sandra Adams, Technology Integration Specialist (Ext. 2121)  
Liz Pitcher, Technology Information and Curriculum Assistant (Ext. 2119)

## ***PSYCHOLOGICAL SERVICES***

**330 PISGAH PIKE, VERSAILLES, KENTUCKY 40383**  
**879-4600**

Tracey Francis, Director of Special Education (Ext. 2125)  
Donna Austin, Special Education Secretary (Ext. 2124)  
Jessica Hensley, School Psychologist (Ext. 2128)  
Katie Moore, School Psychologist (Ext. 2127)  
Nancy Alspach, School Psychologist (Ext. 2129)  
Dana Hash, Special Education Clerk (Ext. 2126)

## ***ENGLISH LANGUAGE LEARNERS (ELL)***

Carmen Wilcox, Parent Liaison/Interpreter 879-4630

## ***COMMUNITY/ADULT EDUCATION SERVICES***

**879-4628 (Comm. Ed.), 879-4669 (Adult Ed.)**

Kathy Hogg, Community Education Coordinator (Ext. 6774, Simmons)  
Sharon Cole, Community Ed. Program Manager (Ext. 6784, Simmons)  
Ann Wheatley, School Nurse (Ext. 3003)  
Paula Combs, School Nurse (Ext. 6906)  
Kelly Simpson, School Nurse/District Health Coordinator (Ext. 6806)  
Robin Reed, School Nurse (Ext. 5006)  
Jennie Christopher, School Nurse (Ext. 6006)  
Hope Woodcock, School Nurse (Ext. 6706)

## ***DEPARTMENT OF TRANSPORTATION***

**207 SIMMONS STREET, VERSAILLES, KY 40383**  
**879-4647**

Kay Penn, Director of Transportation (Ext. 4002)  
Sandra Zeefe, Driver Trainer (Ext. 4003)  
Kristy Chavous, Bookkeeper/Accounting Clerk (Ext. 4035)  
Cindy Peal, Secretary (Ext. 4001)  
Robert Woodrum, Mechanic (Ext. 4004)  
Gary Robinson, Mechanic (Ext. 4004)  
Brian Wiley, Mechanic (Ext. 4004)

## ***DEPARTMENT OF FINANCE***

**330 PISGAH PIKE, VERSAILLES, KENTUCKY 40383**  
**879-4600**

Amy Smith, Chief Operating Officer (Ext. 2114)  
Gwen Lehmkuhler, Central Office Staff Support Secretary, Ext. (Ext. 2113)  
Cheri Smith, Asst. Financial Manager (Payroll) (Ext. 2115)  
Sara Martin, Payroll Clerk I (Ext. 2116)  
Stephanie Smith, Accounting Clerk II/Accounts Payable (Ext. 2117)  
Nicole Henriott, Account Clerk I (2112)

**WOODFORD COUNTY HIGH SCHOOL**  
**180 FRANKFORT STREET, VERSAILLES, KY 40383**  
**(859) 879-4630**

Jason Arnold, Principal (Ext. 3010)  
Jennifer Forgy, Asst. Principal (Ext. 3011)  
Kevin Faris, Asst. Principal (3012)  
Darlene Snyder, Office Manager (Ext. 3001)  
Cindy Patterson, Bookkeeper (Ext. 3006)  
Emily Bays, Student Information Systems/Attendance (Ext. 3005)  
Sandra Simmons, Guidance Secretary (Ext. 3015)  
Kristen Wilson, Guidance Counselor (Ext. 3016)  
Regina Taylor, Guidance Counselor/Academy Director (Ext. 3017)  
Monica Lewis, Guidance Counselor (Ext. 3018)  
Don Offutt, Social Worker (Ext. 3013)  
Amanda Best, Building Assessment Coordinator and Data Specialist (Ext. 3019)

**WOODFORD COUNTY MIDDLE SCHOOL**  
**100 SCHOOL HOUSE RD., VERSAILLES, KY 40383**  
**(859) 879-4650**

Tracy Bruno, Principal (Ext. 5010)  
Scott Hundley, Asst. Principal (Ext. 5011)  
Elizabeth Kirk, Asst. Principal (Ext. 5003)  
Susan Tracy, Administrative Dean (Ext. 5012)  
Susan Godman, Secretary/Bookkeeper (Ext. 5002)  
Teresa Hines, Office (Ext. 5001)  
Derby Akers, Guidance Counselor (Ext. 5205)  
Kelly Sayre, Guidance Counselor (Ext. 5203)  
Amanda Flores, Guidance Counselor Secretary (Ext. 5201)  
Karen Marsee, Student Information Systems/Attendance (Ext. 5005)  
Cindy Speaks, Bookkeeper (Ext. 5943)

**SAFE HARBOR ACADEMY**  
**299 SOUTH MAIN STREET, VERSAILLES, KY 40383**  
**(859) 879-4694**

Logan Culbertson, Principal (Ext. 4022)  
Rhiannon Ashcraft, Guidance Counselor (Ext. 4027)

**PRESCHOOL SERVICES**

Preschool Office Direct Line - 879-4699  
Kathy Hogg, Preschool Coordinator (Ext. 6774)  
Clarita Murphy, Preschool Secretary (Ext. 6780)  
Courtney Chaney, Hometown Preschool Teacher (Ext. 6816)  
Kim Kearns Johnson, Simmons Preschool Teacher (Ext. 6781)  
Catherine Stocksdale, Simmons Preschool Teacher (Ext. 6775)  
Whitney Hendry, Southside Preschool Teacher (Ext. 6221)  
Chloe Lee, Northside Preschool Teacher (Ext. 6942)  
Stephanie Shaffer, Preschool Speech Pathologist (Ext. 6752)  
Joanne Bracco, Preschool Extended Program Daycare Manager (Ext. 6775)

***HUNTERTOWN ELEMENTARY SCHOOL***

**120 WOODBURN HALL Drive, VERSAILLES, KY 40383**

**879-4680**

Elaine Kaiser, Principal (Ext. 6810)  
Julie Dowdell, Curriculum Coach (Ext. 6818)  
Tammy Yates, Secretary/Bookkeeper (Ext. 6802)  
Amy Adams, Student Information Systems Clerk/Attendance (Ext. 6805)  
Nicola Muniz, Guidance Counselor (Ext. 6815)

***NORTHSIDE ELEMENTARY SCHOOL***

**500 NORTHSIDE DRIVE, MIDWAY, KY 40347**

**879-4690**

Ryan Asher, Principal (Ext. 6910)  
Eudora Montgomery, Secretary (Ext. 6901)  
Jessica Carmickle, Bookkeeper/Secretary (Ext. 6902)  
Julie Brangers, Student Information Systems Clerk/Attendance (Ext. 6905)  
Sherry Basore, Guidance Counselor (Ext. 6915)

***SIMMONS ELEMENTARY SCHOOL***

**830 TYRONE PIKE, VERSAILLES, KY 40383**

**879-4670**

Tiffany Cook, Principal (Ext. 6710)  
Nick Schuerman, Administrative Dean (6786)  
Debbie Baker, Literacy Coach  
Dana McGowan, Secretary/Bookkeeper (Ext. 6702)  
Kim Carpenter, Secretary (Ext. 6701)  
Abigali Deloya, Student Information Systems Clerk/Attendance (Ext. 6705)  
Sandra Dugan, Guidance Counselor (Ext. 6715)

***SOUTHSIDE ELEMENTARY SCHOOL***

**1300 TROY PIKE, VERSAILLES, KY 40383**

**879-4660**

Jeremy Reynolds, Principal (Ext. 6010)  
Vacant, Administrative Dean (Ext. 6201)  
Amanda Crowe, Secretary/Bookkeeper (Ext. 6002)  
Shannon Brehm, Secretary (Ext. 6001)  
Michelle Wright, Student Information Systems Clerk/Attendance (Ext. 6005)  
Debbie Spears, Guidance Counselor (Ext. 6015)  
Bianca Bargo, Guidance Counselor (Ext. 6219)

## **Nondiscrimination Policy Statement**

Students, their parents, employees and potential employees of the Woodford County School System are hereby notified that this school system does not discriminate on the basis of race, color, national origin, age, religion, marital status, genetic information, veteran status, sex, limitations related to pregnancy, childbirth, or related medical conditions or disability in employment, vocational and educational programs, or activities as set forth in Title II, Title VI, Title IX, American With Disabilities Act, Section 504, and Age Discrimination Act of 1975 and provides equal access to the Boy Scouts and other designated youth groups.

Any person having inquiries concerning the Woodford County Schools' compliance with Title II, Title VI, Title IX, Section 504, American With Disabilities Act, or Age Discrimination Act 1975, is directed to contact the Director of Staff and Student Services, who has been designated by the Woodford County Board of Education to coordinate the system's efforts for compliance. Please contact Garet Wells, Director of Staff and Student Services, 330 Pisgah Pike, Versailles, Kentucky 40383-9214. Contact may be made by phone at (859) 879-4600, ext. 2110.

## ***USING YOUR EMPLOYEE HANDBOOK***

The Woodford County Public School System is an educational community dedicated to the development of life-long learners and the promotion of success for all students. Each support employee has an essential role in the overall accomplishment of the system's mission.

We believe the district can accomplish its mission only with the team effort that includes the hard work of all classified employees. Woodford County Schools strives to employ capable, well-qualified and industrious employees who are willing to accept the responsibilities of their positions and who will perform their services in a courteous and efficient manner to insure that learning will be enhanced and children's needs will be met. In exchange for these efforts, the school system will make every effort to establish suitable working conditions based upon equitable and reasonable standards.

The purpose of this handbook is to acquaint you with general Board of Education policies, regulations, directives, procedures, and practices that affect and govern your employment. Further details about the items in this handbook are available to you through your immediate supervisor. Copies of the Board policies and regulations are available in each school office and at the Central Office for your use.

Some schools or departments may also have supplementary policies and procedures that apply only to employees of those particular schools or departments.

You are encouraged to read this handbook and keep it for future reference. We do ask for your comments about this handbook. Please send your comments or corrections to the Director of Staff/Student Services at the Central Office.

This handbook is not a contract nor do the statements contained in it have the force of law. Personnel laws, regulations and Board Policy revisions may modify or supersede any or all statements in this handbook. For more information, employees should contact their Principal or Supervisor and refer to the current edition of the Kentucky Revised Statutes, Kentucky Administrative Regulations and the Policy Manual of the Woodford County Board of Education.

Please keep in mind the following when reviewing your handbook:

- Information contained in this handbook reflects Board Policy, procedure and protocol.
- The manual does not create a contract, express or implied. Refer to your contract for guidance on contract issues.
- The manual does not alter the "at-will" relationship between employer and employee (unless the employer wants to change this traditional relationship.)
- The manual does not guarantee employment for any definite period of time.
- This manual applies only to Classified Personnel.
- The manual supersedes any previous manual or unwritten policies.
- This manual can be changed by the Board of Education unilaterally at any time.

A complete manual of Board policies is available for review in the Principal's office of each school and at the Central Office. They may also be found at <http://policy.ksba.org/W11/>.

## **Classified Personnel Defined**

### **DEFINITION**

Classified personnel are all those employees who hold positions not requiring teacher certification.

### **FULL-TIME PERSONNEL**

A full-time employee is one who works a minimum of eighty (80) hours or more per month on a regular basis.

### **CREDIT FOR WORK EXPERIENCE**

An employee shall work one hundred forty (140) days or more between July 1 and June 30 of any fiscal year to receive credit for one (1) year of work experience for purposes of determining salary.

### **PART-TIME PERSONNEL**

A part-time employee is one who works less than eighty (80) hours per month on a regular basis.

## **Hiring**

### **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 the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

### **EFFECTIVE DATE**

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

### **QUALIFICATIONS**

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

### **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 High School Equivalency Diploma 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.<sup>3</sup>

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

### **CRIMINAL BACKGROUND CHECK AND TESTING**

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

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 AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO

**FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES.”**

Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the cabinet. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the Cabinet.

**REPORT TO THE SUPERINTENDENT**

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

**HIRING OF RETIRED EMPLOYEES**

Appointments of employees previously retired under the Kentucky Retirement System (KRS) shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such appointments shall follow the hiring provisions outlined in this policy and administrative procedures. When the District hires full-time classified employees previously retired under KRS, those employees shall participate in the District’s health insurance program.

**JOB REGISTER**

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

**VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all district job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

**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.

## **RELATIONSHIPS**

The Superintendent shall not employ a relative of a member of the Board 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.

## **CONTRACT**

All regular full-time and part-time classified personnel shall enter into annual written contracts with the District.

## **EMERGENCY HIRING**

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

## **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.

## **EMPLOYEES SEEKING JOB CHANGE**

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. 7926.

## **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 005:080.

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 004:020. 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.<sup>1</sup>

## **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 or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form. 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 TEST**

Each medical examination shall include a risk assessment for tuberculosis as required by Kentucky Administrative Regulation. Individuals identified by that assessment shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. A person who tests positive for TB shall be required to comply with the directives of the Board, local board of health and the Kentucky Department for Public Health, Cabinet for Health Services, for further evaluation and treatment of the tuberculosis infection.

### **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, consistent with the Americans with Disabilities Act and the Family Medical Leave Act, 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.

### **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.

### **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.

## **Equal Employment Opportunity**

### **NONDISCRIMINATION**

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, or disabling condition.

### **INDIVIDUALS WITH DISABILITIES**

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupation qualification for the job in question as defined in KRS 207.135.

## **REASONABLE ACCOMMODATION**

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position including assistive technology. Medical information obtained as part of an employee request shall be confidential. The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

## **ADVISING EMPLOYEES**

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

## **Compensation and Benefits**

### **COBRA**

Continuation of Coverage Under Federal Law (COBRA/S.B. 274)

Federal law provides an employee the option to continue group health coverage beyond the date on which their coverage would otherwise terminate (formerly S.B. 270).

Also, the new continuation laws provide coverage continuation rights for spouses and dependents.

Individuals eligible for continuation of coverage are as follows:

- Loss of coverage as result of termination of employment (except for gross misconduct of the employee).
- Loss of coverage as a result of a reduction of hours worked by the employee.
- Death of the employee.
- Divorce or legal separation of the employee.
- The employee becoming eligible for Medicare coverage.
- Loss of coverage as a result of a dependent child reaching the limiting age designated in the group contract.

Duration of Coverage:

For employee (termination or reduction in hours) - 18 months.

For spouse and dependents - 36 months.

Termination of Coverage:

- Exhaustion of 18 or 36 month time period.
- Group health plan terminated by employer.
- Failure to pay in timely manner.
- Eligible for Medicare or another group health plan.

NOTE: It is the employee's responsibility to immediately inform the Finance Department of a divorce, separation, or dependent child losing coverage.

To be eligible for continuation of coverage, the following requirements must be met:

- Must be actively working and covered by a health plan.
- If spouse or dependent, you must be under plan at the time of termination or reduction in hours.
- Must notify appropriate person, in writing, within sixty days of termination or hourly reduction that he/she wants to continue coverage.
- Cannot be eligible for other group coverage (includes cross-reference contracts).

Ceridian is the Department of Employee Insurance's third party administrator for the COBRA benefits. You will receive COBRA health insurance information from Ceridian. Please follow their instructions if you want to continue health insurance thru COBRA.

Thereafter, you will be billed directly by the insurance carrier.

If you have any questions concerning insurance, please contact the Insurance Coordinator at (859) 879-4600, ext. 2109.

## Salaries

### **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 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 the absence of the issue being addressed in such schedules, experience credit shall be determined as follows:

1. Previous experience in the District. Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District
2. Previous experience in an equivalent position in another school district. Years of experience in an equivalent position may be transferred from another school district.
3. Previous private sector experience in a job of a similar nature. In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being similar.

## **PAYROLL DISTRIBUTION**

All District employees shall participate in direct deposit of payroll. Direct deposits will be issued according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

## **PAYROLL DEDUCTION**

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board policy 03.2211.

## **OVERTIME**

Overtime work shall be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1 1/2 times the regular rate for all hours beyond 40 as provided by law for overtime work.

## **WORK DAY/WORK WEEK**

The length of the work day shall be established for each position by the Board. The work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy. (Note: Even if the students are released early for weather or other emergency situations, classified employees are required to fulfill contract hours without going into overtime. All time must be documented on a time sheet. If a classified employee chooses not to make up the missed time, a leave without pay card must be submitted with the time sheet. Other questions related to this situation should be directed to your immediate supervisor.)

## **Salary Deductions**

### **MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. City occupational tax, when applicable;
3. Social security, when applicable;
4. County Employees' Retirement System of the State of Kentucky, when applicable;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.;
6. Medicare (FICA), when applicable.

### **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. Health and hospitalization insurance;
2. Income protection – group plan;
3. Dental insurance;
4. Life insurance provided by the Board or state;
5. Savings bonds;

6. Commonwealth Credit Union;
7. State approved deferred compensation plan;
8. United Way;
9. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
10. Membership dues for professional organizations when thirty percent (30%) or more eligible members request the deductions. Such deductions may include a life insurance plan and an income protection plan associated therewith.
11. Supplemental retirement plans, as approved by the Board.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer

No other payroll deductions shall be made by the Board.

## **Holidays and Vacations**

### **HOLIDAYS**

All full-time classified personnel (those employed 180 days or more) shall be eligible for the four (4) paid holidays designated in the official school calendar. All full-time classified personnel employed between 240 and 260 days shall also receive the Fourth of July as a paid holiday for a total of (5) paid holidays. Full-time, 260-day-contract classified personnel shall be eligible for the following paid holidays:

1. Christmas Eve,
2. Christmas Day,
3. New Year's Eve,
4. New Year's Day,
5. Presidents' Day\*
6. Martin Luther King Day,
7. Fourth of July,
8. Labor Day
9. Thanksgiving Day,
10. Thanksgiving Friday,
11. Memorial Day\*
12. General Election Day in year of presidential election.

\*If school is in session, the day will become a "Floating Holiday" which must have prior approval from Supervisor to be taken and must be taken off by June 30<sup>th</sup> of the same year.

### **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.

## **VACATIONS**

Full-time, 260-day-contract classified personnel shall be entitled to an annual two (2) week vacation at a time approved by the Superintendent. Personnel employed for the first time on a full-time, twelve-month basis shall be eligible for vacation during the second half of the first year of service.

Full-time, 260-day-contract classified personnel who have five (5) or more years of service with the District in a 260 day position, shall be granted an additional day of vacation for each year of service up to twenty (20) days.

## **ACCUMULATION/CARRY-OVER**

Full-time, 260-day-contract classified personnel may accumulate and carry-over a maximum of forty (40) unused, paid vacation days.

## **Leaves and Absences**

### **APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment. Any leave (medical, maternity, worker's compensation, etc.) that will result in more than 3 consecutive days off work should be accompanied by a physician's statement if medical and a "Request for Leave" form available from the Human Resources Department at extension 2109.

### **TEMPORARY LEAVE WITHOUT PAY**

The Superintendent may grant an employee's request for temporary leave without pay for a period not to exceed ten (10) working days, provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. Such request must be submitted at least ten (10) working days prior to the date the leave begins.

### **NOTIFICATION OF RETURN**

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Failure to do so will render the position vacant.

### **FMLA**

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

### **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

## **Personal Leave**

### **NUMBER OF DAYS**

The Board shall grant two (2) personal leave days each school year without loss of pay to employees who are employed less than 240 days and three (3) days to those who are employed from 240 days to 260 days.

Persons employed for less than a full year contract shall receive a pro-rata part of the authorized personal leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

Personal leave may be taken only in whole or half-day increments; using Personal leave cannot create pay for hours above the person's normal contracted hours.

**PROHIBITION**

Personal days are not to be scheduled on days immediately before or immediately after regularly scheduled breaks during the school year. Personal days may not be granted when 10% or more of the staff in requesting employee's work site are scheduled to be out. Exceptions to these prohibitions due to extenuating circumstances require principal approval in advance.

**APPROVAL**

The Superintendent or designee must approve the leave date, but no reasons shall be required for the leave.

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

**AFFIDAVIT**

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

**ACCUMULATION**

On June 30, personal leave days not taken during the school year shall be transferred and credited to the employee's sick leave account.

**Sick Leave**

**NUMBER OF DAYS**

All full-time classified personnel shall be entitled to sick leave days with pay based on the following schedule:

Number of Contract Days Employed Each School Year	Number of Sick Days Each School Year
180-218	10
219-239	11
240-260	12

Persons employed for less than a full year contract shall receive a pro- rata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

Sick leave may be taken only in whole or half-day increments; using sick leave cannot create pay for hours above the person's normal contracted hours.

## **ACCUMULATIVE**

Unused sick leave for classified employees shall accumulate without limitation to the credit of the classified employee to whom they were granted. When previously retired classified employees return to work, they shall not be reimbursed at time of a subsequent retirement for days accumulated after their return.

## **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, 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 the District.

In order for classified employees to transfer accumulated sick leave to the Districts there must be continuity of employment. Classified leaving and subsequently returning to the District shall be eligible for reinstatement of accrued leave days, providing there is continuity of employment.

## **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 classified 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.

## **AFFIDAVIT**

Upon return to work, an employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

## **WORKERS' COMPENSATION PAYMENTS**

Employees shall not be required to use sick leave in connection with a work related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to 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.

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 leave, the employee shall pay to the District a sum equal to worker's 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.

## **Sick Leave Bank**

### **ELIGIBILITY**

Although no new members will be enrolled, employees who joined during previous school years may request days from the Sick Leave Bank until all days have been granted. After an eligible employee has exhausted all of his/her accumulated sick leave and other available paid leave days, he/she may draw up to fifteen (15) days on the sick leave bank for such time as he/she is sick as per policy 03.2232. If necessary, an employee may request consideration for the use of additional sick bank days.

Requests for the use of sick bank days shall be supported by a doctor's signature on and/or a statement attached to the Sick Leave Bank request card indicating that the illness, physical disability, or accident is the reason for the absence.

Once all days in the Bank have been used, the Bank shall be discontinued.

### **APPEAL**

The denial of any application for Sick Bank usage may be appealed to the Board whose decision shall be final and binding on all parties.

## **Family and Medical Leave**

### **REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employees' newborn or adopted child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child or parent who has a serious health condition, as defined by federal law; or
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job.
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of 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 member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated 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 or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

### **NOTICES AND DEADLINES**

Employees who may be eligible for or who requests 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 entitlement 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 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. The District shall designate an employee's leave, paid or unpaid, as FMLA 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). Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FML certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider. If the human resources professional is the direct supervisor of the employee in question, the Superintendent shall designate another individual to contact the health care provider.

### **ELIGIBILITY**

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months 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. When family and medical military caregiver leave is taken based on a serious illness or injury 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 members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the district during the twelve-month period are to be combined with hours they would have worked for the district had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

### **RESTRICTIONS**

When the health condition of an employee or family member qualifies for the use of paid leave, employees must use all paid leave before being eligible for unpaid family and medical leave, except that they may request to reserve ten (10) days of sick leave. This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) workweek entitlement.

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

When both spouses 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 spouses are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

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

### **INTERMITTENT LEAVE/REDUCED HOURS**

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

## **CONTINUATION OF BENEFITS**

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

## **RETURN TO WORK**

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

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

## **NOTICE**

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

## **Maternity Leave**

### **PAID SICK LEAVE**

Childbirth and recovery from, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An employee may use up to thirty (30) days of sick leave following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

### **UNPAID MATERNITY LEAVE**

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurs. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave shall notify the Superintendent 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 taking a maternity 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) work weeks 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.

## **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

### **Extended Disability 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**

Unpaid disability leave may be granted by the Board, upon written request, for the remainder of the contract year. Thereafter, leave may be extended by the Board in one (1) year periods.

#### **VERIFICATION**

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

#### **NOTIFICATION OF RETURN**

Employees on extended disability leave shall notify the Superintendent 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.

#### **PLACEMENT UPON RETURN**

Employees taking disability 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.

#### **INVOLUNTARY DISABILITY 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.

## **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

### **Educational Leave**

Upon recommendation of the Superintendent, the Board may grant classified personnel short-term leave without pay for the purpose of obtaining training to enhance the skills required in performing their job or to obtain training in anticipation of a different position with the school system.

### **Emergency Leave**

#### **NUMBER OF DAYS**

Full-time classified employees shall be entitled to three (3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a pro-rata part of the authorized emergency leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave may be taken only in whole or half-day increments; using Personal leave cannot create pay for hours above the person's normal contracted hours.

Emergency leave shall be granted for the following reasons:

**ILLNESS/INJURY**

To attend to an immediate family member whose life is threatened by illness or injury.

**BEREAVEMENT**

Death of a relative or personal friend.

**DISASTERS**

Disasters are of a household, vehicle, travel or personal emergency of the magnitude of tornadoes, fires, floods, etc. affecting the employee or his/her immediate family. 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.)

**BUSINESS**

One (1) day shall be granted for business reasons of an emergency nature. For the purposes of this section, "emergency" shall mean a sudden unexpected happening: an unforeseen occasion or condition: a sudden or unexpected occasion requiring action. The employee may appeal the Superintendent's or designee's decision to the Board.

**PROHIBITIONS**

Emergency leave shall not be used for personal illness covered under sick leave policies, for participation in recreational activities, for vacations, college visits, attending fraternal functions, seeking other employment or for rendering services for pay.

**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.

## **Jury Leave**

### **SALARY**

Any employee who serves on a jury in a duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay (except expense monies), for the period of his actual jury service.

### **NOTICE**

Persons who will be absent from work to serve on juries must give advance notice to their immediate supervisors.

## **Military/Disaster Services Leave**

### **INDUCTION**

Classified employees called from reserve status or inducted into military service shall be granted, upon written request, a leave of absence not to exceed two (2) years.

Employees 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. Determination of the period of military leave to be granted shall be made according to statutory requirements and shall be based on the federal fiscal year.

The Board shall automatically review military leave until the employee is discharged or released from active service.

Upon return to duty, employees shall resume the employment status in effect at the time military leave was granted. Employees on military leave shall receive such increments on the salary schedule to which they would have been entitled had they not been called to active military duty.

### **NOTIFICATION**

Employees are responsible for notifying their immediate supervisor as soon as they are notified of an impending military-related absence.

The Board may grant disaster services leave to requesting eligible employees.

## **Insurance**

The Board shall provide unemployment insurance, workers' compensation, and liability insurance for all classified personnel. In addition the Board shall provide term life insurance to full-time, classified employees.

The State shall provide group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.

Employees who qualify for Workers' Compensation shall be offered the opportunity to participate in the District's 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.

## Expense Reimbursement

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall required documentation of the funding source/category used to pay expenses for all approved trips by obtaining a purchase order prior to the travel date. Travel vouchers paid from school activity funds shall be submitted within one (1) week of the travel.

### **MILEAGE**

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed consistent with the current state rate per mile when the employee uses his/her own vehicle.

### **GASOLINE**

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

### **TOLLS AND FEES**

All tolls and parking fees incurred in school-related travel. Parking fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

### **CAR RENTAL**

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt.

### **COMMON CARRIERS**

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.) are eligible. Sight-seeing and pleasure tours are not reimbursable.

### **OUT-OF-STATE TRAVEL**

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

### **FOOD**

Actual monies spent for food while on overnight, out-of-District trips. All meals must be substantiated by an itemized receipt. Maximum allowable food expenditure per day shall be \$40.00 unless an exception is approved by the Superintendent or the Board for high rate areas as designated by the District. The maximum allowable food expenditures per day shall be \$55 for the high rate areas.

Employee meals will be reimbursed by the District only if the employee is approved to stay overnight or if the meal is part of a conference or workshop registration fee.

### **LODGING**

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

## **EMERGENCY REPAIRS TO VEHICLES**

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

## **REIMBURSEMENT FORM**

Board travel reimbursements to individual employees for expenses must be pre-approved for school or district activity. The approved purchase order number shall be referenced on the travel vouchers.

Travel vouchers paid from school activity funds shall be submitted within one (1) week of the travel. Travel vouchers paid from Board allocated or district funds shall be submitted at least quarterly and within thirty (30) days of the end of the calendar quarter, except the quarter ending June 30<sup>th</sup>, in which all travel is due by July 10<sup>th</sup>.

No request for travel reimbursement will be considered unless filed on the proper form, accompanied by the proper itemized receipts, and pre-approved purchase order.

In order to be considered for reimbursement, out-of-state travel expenses must be included in the Board-approved out-of-state travel approval form.

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.

## **Assignment**

The assignment 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 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 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.

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.

## **Confidentiality**

In certain circumstances employees may receive confidential information regarding students' or employees' medical, discipline or court records. Employees are required to keep student and personnel information in the strictest confidence and are legally prohibited from passing confidential information along to any unauthorized individual.

## **Transfer**

The transfer of classified personnel shall be made by the Superintendent who, at the first meeting following the transfer, 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.

## **Promotion**

The promotion 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 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 promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position.

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.

## **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.

## **Supervision**

### **SUPERVISION**

Supervision shall be provided for all classified employees. Each employee shall be informed as to whom his/her immediate supervisor is and to whom s/he will be responsible.

### **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.

## **Weapons**

This policy applies to students, staff members, and visitors to the school.

### **WEAPONS PROHIBITED**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

#### **EXCEPTIONS**

An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.

Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, are authorized to bring weapons onto school property in performance of their duties.

#### **STATE POSTING REQUIREMENTS**

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

#### **STATE REPORTING REQUIREMENTS**

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 carrying, possession, or use of a deadly weapon 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.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

#### **ENFORCEMENT**

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

## **Use of School Property**

### **OUTSIDE WORK**

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

### **EXCEPTION**

Under procedures developed by the Superintendent, the Board may approve the use of school facilities by Board supervisory personnel for summer sports camps and other school-related activities. Fees for such activities must be collected and receipted by the school, and salaries, stipends, and other financial obligations resulting from such activities shall be paid by Board check.

### **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.

### **CARE AND USE OF SCHOOL PROPERTY**

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

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

### **DRIVING RECORD**

Annually, the Superintendent may request employees who have occasion to drive any Board-owned vehicle and/or who transport students to provide him/her 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.

### **USE OF ASSIGNED TELECOMMUNICATION DEVICES**

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones. Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.
4. District-owned telecommunication devices shall be used primarily for authorized District business purposes. However occasional personal use of such equipment is permitted

## **USE OF PERSONAL CELL PHONES/TELECOMMUNICATION DEVICES**

When an audio, video, or combined recording is made of a student while on school property, during a school sponsored event, or while being transported by the School District, the recording constitutes an educational record of each student recorded, regardless of the ownership of the device utilized to create the recording. Employees are expected to exercise sound judgment in the decision to create a recording of any student, and to do so only for educational/instructional or supervisory purposes. This policy includes recordings of school-sponsored or school-endorsed social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the general public. Employees should recognize that students are likely to behave differently if they know their actions or words are being recorded, either by withdrawing to avoid embarrassment or by escalating behaviors to seek attention. If an employee has any doubt about whether a planned recording is appropriate, the employee should consult with their immediate supervisor or with the Principal/designee. Once a recording is created, employees must comply with all applicable record retention laws, regulations, and policies concerning educational records.

Events which are considered to be in the public arena (e.g., sporting events, academic competitions, or performances to which the general public is admitted), can be recorded by an employee as long as the recording activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate any participant's legal rights. The use, distribution, and retention of those recordings may be governed by privacy statutes and record retention schedules. Employees may be personally responsible for violations of those laws.

This policy applies to any personally owned device which has the capacity to record audio and/or video, including, but not limited to, cell phones and tablets.

### **Access Privileges to WCPS Net**

#### **Define WCPS Net**

“WCPSNet” (Woodford County Public Schools Network) refers to any technology resource or device provided by Woodford County Public Schools regardless of where it is utilized. This includes but is not limited to district network access, accounts, and devices.

#### **Summary of Policy and Procedure**

##### **Student and Staff Member Use**

The Board supports the rights of students and staff members to have reasonable access to various informational formats and believes it is incumbent upon students and staff members to use this privilege in an appropriate and responsible manner. Electronic access including, but not limited to, network access, accounts, and devices, shall be used to support and enhance education and research. Personal use of school technology resources should be limited and follow acceptable use guidelines.

##### **Procedures and Guidelines**

The Superintendent shall develop and implement appropriate procedures to provide guidance for student and staff member access to electronic resources through WCPSNet which follow the state and federal regulations and laws pertaining to technology use, safety, and security in a school environment. Guidelines shall address ethical use of electronic resources, including issues of privacy versus administrative review of electronic files and communications. Use of technology resources for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying networks, account, and/or devices is prohibited.

## **Acceptable Use**

Use of WCPSNet and/or other organization's networks or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to: plagiarism, copyrighted material, threatening and obscene material, or material protected by trade secret. Use for product advertisement or political lobbying is not consistent with the purposes of the WCPSNet and is inappropriate. Illegal activities are strictly prohibited. Using your WCPSNet internet account or devices to access unauthorized social media or to play games including but not limited to, unauthorized non-educational games is not acceptable use. Electronic access including, but not limited to, networks, accounts, and devices shall be in support of education and research. Personal use of technology should be limited and follow acceptable use guidelines.

Rights, Responsibilities, and Privileges

To gain access to WCPSNet, this Terms and Conditions document must be signed by students, parents/guardians, and adults. It is designed to explain clearly the responsibilities of users in regard to the district's network, accounts, and devices. Any questions about these responsibilities shall be directed to the district's Chief Information Officer.

Violation of the following terms and conditions may result in the immediate loss of network services including, but not limited to the internet/email, and could eliminate future access. Violations may incur other consequences including reporting incidents to the building principal, the Superintendent, or local authorities for further action.

## **Security**

It is impossible for Woodford County Public Schools to provide a foolproof environment preventing access to all controversial material and ensuring complete system, data, and account security as outlined in the Terms and Conditions. However, the district has taken available precautions to try to achieve these measures.

The district has implemented an Internet Content Management and Filtering server, located at the District Technology Office. This server restricts/prevents access to objectionable material, and, in accordance with SB 230, this server logs internet usage including sites visited, date and length of time, and the machine used.. Logs will be held for no longer than thirty (30) days. The logs containing this information fall under the Open Records Law and may be accessed by the general public upon request. The logs will be monitored by the Principal/designee at each school and the Chief Information Officer/designee. These individuals will have the authority to access and view sites, some of which may be objectionable, in accordance with their duties.

The district has also taken reasonable measures to ensure all transmissions to/from the internet are encrypted using the latest security protocols. These measures comply with state and federal laws regarding the storage and transmission of all Personally-Identifiable Information (PII). Cloud services including, but not limited to Office365 and Google G-Suite .are implemented and in use throughout the district and follow security protocols. Security on any computer system is a high priority, especially when the system involves many users. If any user can identify a security problem on WCPSNet, s/he must notify a system administrator or the Chief Information Officer. Please, do not demonstrate the problem to other users.

## **Disclaimer**

Woodford County Public Schools will not be responsible for any damages including, but not limited to, loss of data resulting from delays, non-deliveries, wrongful directed deliveries, or service interruptions caused by negligence, user errors, or omissions.

In addition, the school district is not liable for damages to personal accounts or devices accessed using WCPSNet resources.

## **Access Privileges**

### **Access Privileges to Electronic Resources**

In the Woodford County Public Schools, access to electronic resources can range from read-only access to instructional software to full search capability of the internet. For these reasons, the District maintains the right to limit access to software and/or documents found either on WCPSNet or the internet, via technical or human barriers.

## **Network**

The guidelines specifying acceptable use, rules of online behavior, access privileges and penalties for policy/procedural violations are available to students and parents or legal guardians of minor students (those under eighteen [18] years of age) during the school year in each school's student handbook. Consent for obtaining access to all parts of WCPSNet is granted by a parent or legal guardian through the submission of the student handbook acknowledgement form. This document shall be kept on file as a legal, binding document and shall continue to be observed throughout the student's enrollment in the District, unless modified by the parent/guardian. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least eighteen [18] years old) must contact the district Chief Information Office or designee at (859) 879-4600.

Except in cases involving students who are at least eighteen (18) years of age and have no legal guardian, parents/guardians may request the the school/District:

- Provide access so that the parent may examine the contents of their child(ren)'s email files;
- Terminate their child(ren)'s individual email account and/or internet access; and
- Provide alternative activities for their child(ren) that do not require internet access.

Parents/guardians wishing to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

## **Certified and Classified Staff**

The guidelines specifying acceptable use, rules of online behavior, access privileges and penalties for policy/procedural violations are available to staff members during the school year in each school's staff handbook. Consent for obtaining access to all parts of WCPSNet is granted by the staff member through the submission of the staff handbook acknowledgement form. This document shall be kept on file as a legal, binding document and shall continue to be observed throughout the staff's employment in the District.

## **Network and Internet Regulations**

1. The use of your network and/or Internet account must be in support of education and research and be consistent with the educational objectives of the Woodford County School District.
2. You may not violate any U.S. or State regulations regarding transmission of material.
3. You may not access or send objectionable material.
4. You may not access social media or instant messaging for non-educational purposes without authorization from the school principal.
5. You may not break in or attempt to break into the school's network or other computer networks.
6. You may not create or share computer viruses.
7. You may not destroy another person's data.
8. You may not damage computer systems or school/District websites.

9. You may not monopolize the resources of WCPSNet by doing such things as running large programs and applications over the network, sending massive amounts of email to other users, accessing unauthorized social media, or using system resources for games or other files using large amounts of storage.
10. You are not permitted to get from or put onto the network any copyrighted (including software) threatening or obscene material, or hacking programs.
11. Purposefully annoying other internet users including continuous talk requests, on or off the WCPS system, is prohibited.
12. You may not use technology resources to bully, threaten or attack a staff member or student, or to access and/or set up unauthorized blogs and online journals.
13. As a user of this community system, you will notify a network administrator of any violations of this contract by other users or outside parties. This may be done anonymously.
14. No illegal activities may be conducted via the network including, but not limited to, internet and email.
15. All communications and information accessible via the network are assumed to be the private property of the Woodford County Board of Education.

### **Accounts**

Students will have an independent network user account created upon submission of the student handbook acknowledgement form. This type of account allows use of network resources, internet access, email, a private storage directory for student work, and local and web based software resources. Students will also receive a Google Apps for Education account. Parents may request that students be given an account without internet and/or email access.

### **Certified and Classified Staff**

For every staff person whose position requires network access, an account(s) with appropriate rights will be established. This account includes access to email and an appropriate, digitized file storage system. In addition, a Google Apps for Education account will be created. All staff must attend a training/awareness session provided by a network administrator or designee.

### **Access to State Provided Electronic Mail**

According to 701 KAR 5:120, every student and adult must use the KETS email product standard when using a school district workstation or network resource. These resources include the internal school email network or email communications to others outside the school on the internet. Districts have received sufficient KETS offers of assistance to acquire the hardware and software for email accounts for every student, teacher, and administrator. Therefore, every student and adult should only use those accounts for email communications. The use of your email account must be in support of education and research and be consistent with the educational objectives of Woodford County Public Schools.

Note that electronic mail is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities. For additional information, see board policies found in the Student Code of Conduct BP 08.2323 (BP 09.438) and in BP 03.1321, BP 03.2321, BP 03.1325, and BP 03.2324 for certified and classified employees regarding use of school property, disrupting the educational process, and conduct.

### **Account and Electronic Mail Regulations**

1. Be polite. Do not write, share, or send abusive content to others.
2. Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language.

3. Do not reveal your personal information or that of other students or colleagues including, but not limited to, passwords.
4. You may not alter network accounts in any way including internet accounts.
5. Do not send, share, or maintain objectionable material.
6. Do not send or forward email “chain letters”.
7. You may not offer internet access to any individual via your WCPSNet account.

### **Devices**

Students and Certified/Classified Staff Assigned Individual Devices as well as Class Sets

1. You are responsible for the care and protection of your device.
2. You will always supervise your device or leave it in a secure location.
3. You understand your device is for educational use.
4. You will keep your device away from food and drink.
5. You will report loss, theft, and/or malfunction immediately.
6. Your device will always be in the provided case or one from the approved list (if required).
7. You will practice good digital citizenship.
8. You will not change the appearance of your device and will keep barcodes on your device.
9. You understand that your device is subject to inspection at any time without notice and remains the property of Woodford County Public Schools.
10. You will follow the policies in the *Device Handbook* and the *Acceptable Use Policy* at all times.
11. You agree to return the device and power cords in good condition at the end of the school year or if you terminate enrollment/employment at Woodford County Public Schools for any reason.

### **Students Participating in the 1:1 Program**

1. You will complete the appropriate level of the Digital Driver’s License online course.
2. You will bring your device to school each day you are in attendance.
3. You will charge your device’s battery daily.

### **No Privacy Guarantee**

The Superintendent/designee has the right to access information stored in any user directory, on the current user screen, or in electronic mail. Users are advised not to place confidential or objectionable documents in their user directory. Users should not expect files stored on district servers or through district provided or sponsored technology services to be private. The tracking of internet usage via the Proxy servers and in accordance with SB 230, is monitored by the Principal and the Chief Information Officer/designee. The proxy logs fall under the Open Records Law and may be viewed by community members upon request. The logs will be maintained for thirty (30) calendar days.

### **Ramifications**

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

Vandalism shall result in cancellation of privileges and financial reimbursement of losses. Vandalism is defined as any attempt to access, harm or destroy the operating system or applications of another user, the school’s

network, equipment, WCPSNet, or any of the agencies or other networks that are connected to KETS internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.

The Chief Information Office/designee may suspend or close an account at any time as required. The administration, faculty, and staff of WCPS may also request the system administrator or Chief Information Officer to deny, revoke, or suspend specific user accounts or access to school-owned devices. Revocation of accounts and/or devices will be for a period of time determined at the building level. Users (students or staff members) whose accounts or access are denied, suspended, or revoked do have the following rights:

- A. To request, in writing, from the building administrator a written statement justifying the action(s).
- B. To follow the District's grievance policy.

## **Woodford County Staff Guide to Personally Identifiable Information and Data Breach Procedure**

The use of technology like email, cloud systems, and social media has made it easier than ever for vast amounts of data to be lost. We are required by law and board policy to protect student and staff personally identifiable information and report a suspected data breach to local and state authorities.

### **What is personally identifiable information (PII)?**

From a legal perspective, KRS 61.931 (House Bill 5) states "Personal Information" means an individual's first name or first initial **and** last name; personal mark; or unique biometric or genetic print or image, **in combination with** one (1) or more of the following data elements:

- An account number, credit card number, or debit card number that, in combination with any required security code, access code, or password, would permit access to an account;
- A Social Security number;
- A taxpayer identification number that incorporates a Social Security number;
- A driver's license number, state identification card, or other individual identification number issued by any agency;
- A passport number or other identification number issued by the United States government; or
- Individually identifiable health information as defined in 45 C.F.R. sec. 160.103 except for education records covered by the Family Educational Rights and Privacy Act (FERPA), as amended 20 U.S.C. sec. 1232g.

### **What is a data breach?**

According to KRS 61.931, a data breach is the unauthorized (whether stolen or lost) release of PII that can be reasonably believed to jeopardize the security, confidentiality, or integrity of the PII and cause harm to 1 or more individuals.

### **What are the most common causes of data breaches?**

Loss or theft of a USB Drive, Laptop, Tablet, or Smartphone with PII information on it

Phishing attacks through email – someone asking you to give up PII

Poor, shared, or stolen passwords

Accidental sharing of PII through email, links, etc.

### **What is the staff responsibility when a data breach is suspected?**

Report the suspected breach to the Chief Information Officer immediately so that an investigation can determine if a breach has occurred or not. CIO will report findings to superintendent and state agencies.

## **Gifts**

Any gift presented to a school employee for the use of the school must have the prior approval of the Superintendent or the Board of Education. Any gift so approved and accepted on behalf of the school becomes the property of the Board. Gifts and donations made to the District shall be reported annually to the Board.

## **Solicitations**

Unless authorized by the Superintendent, sales representatives, agents, or other solicitors shall not solicit or contact pupils, teachers, or other employees during the school day.

No school employee shall provide to any outside group or individual a list of students, teachers or other employees for solicitation or other purposes without the prior authorization by the Board and approval of the Superintendent or his designee.

## **Petitions**

Employees shall not sign, promote, and/or distribute petitions during the time required to perform school duties or at any school sponsored function.

## **Political Activities**

No District employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting 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.

"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 and District facility and financial needs.

## **SCHOOL BOARD ELECTIONS**

The Superintendent shall inform all District employees of the provisions of KRS 161.164.

## **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**

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.

## **Drug-Free/Alcohol-Free Schools**

### **DRUGS, ALCOHOL, AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, solicit, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties: alcoholic beverages; controlled substances, prohibited drugs and substance, and drug paraphernalia; and 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 prescriptions drugs for the purpose of sale or distribution.

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

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.

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated.

### **REPORTING**

Employees of the District shall promptly make a report to the local policy 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 feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

### **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**

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

## **SUSPENSION/TERMINATION/NON-RENEWAL**

Any employee who violates the terms of the District's drug-free/alcohol-free policies may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

## **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.

## **NOTIFICATION BY EMPLOYEE**

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

## **PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

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

## **Use of Tobacco, Alternative Nicotine or Vapor Products**

### **USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students. Adequate notice shall be provided to students, parents, and guardians school employees, and the general public. Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times by all persons on or in the property. School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

## **Duties**

### **JOB DESCRIPTION**

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, job descriptions which establish all essential functions of each position. The description shall encompass job

responsibilities, completion of records and reports, and achievement of goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy.

#### **ACCOMMODATION**

Reasonable accommodation shall be provided each qualifying employee with a disability or limitations related to pregnancy, childbirth, or related medical conditions to comply with the requirements of law and regulation.

#### **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.

### **Outside Employment or Activities**

#### **OUTSIDE EMPLOYMENT**

Classified employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned school duties and obligations.

Employees shall not perform any duties related to an outside job during their regular working hours.

#### **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.

### **Hours of Duty**

#### **REGULAR HOURS**

Classified personnel shall be prompt in attendance and shall work the hours as specified by their contract.

No classified employee shall leave the school grounds during duty hours without the express approval of the Principal. No classified employee at a non-school site shall leave their work site without the express approval of his/her direct supervisor.

#### **ADDITIONAL HOURS**

Classified personnel may be required to perform additional duties as assigned by the Principal.

### **Health and Safety**

#### **SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

#### **HAZARD COMMUNICATION**

The Superintendent 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.

### **BLOOD BORNE PATHOGEN CONTROL**

The Superintendent shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to blood borne 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 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 blood borne pathogens; and
2. Annual documentation of 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.

### **Personnel Records**

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.<sup>1</sup> The Superintendent shall develop procedures to ensure the security of the files.<sup>2</sup>

The Principal/supervisor may maintain a 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, are not open for public inspection.<sup>3</sup>

#### **MEDICAL INFORMATION**

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

### **Grievances**

#### **PROCEDURES**

The Superintendent shall develop specific grievance procedures 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 not hear any grievances unless the Superintendent recommends the appeal to the Board in writing or the aggrieved employee petitions in writing for the Board to consider the determination of the Superintendent. Agreement to consider the matter is discretionary with the Board and shall be granted only on affirmative vote of four (4) members.

However, 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.

#### **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 provision.

As established by administrative procedures, disposition of a grievance by the Superintendent will be final unless the Superintendent recommends the appeal to the Board in writing or the aggrieved employee petitions in writing for the Board to consider the determination of the Superintendent. Agreement to consider the matter is discretionary with the Board and shall be granted only on affirmative vote of four (4) members.

However, 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 be governed by policy 03.262.

## **Harassment / Discrimination**

### **DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, disability or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

### **PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

### **DISCIPLINARY ACTION**

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

### **GUIDELINES**

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than five (5) working days of receipt of the original complaint regardless of the manner in which the complaint is communicated to a District administrator. Investigations shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency. Following completion of the investigation, the investigator shall complete a written report of all findings.

The Superintendent/Designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to the following:
  - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

- Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
- Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

#### **PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written or electronic materials or pictures that are lewd, vulgar, demeaning or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors and spreading sexual rumors;
3. Instances of sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

#### **CONFIDENTIALITY**

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

## **APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

## **RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy. Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

## **FALSE COMPLAINTS**

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

## **OTHER CLAIMS**

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, 03.212, 03.2325 and/or 09.422.

## **Discipline, Suspension and Dismissal of Classified Employees**

### **DISCIPLINARY OPTIONS**

Classified employees may be subject to the following actions, to include, but not be limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Suspension with pay by Superintendent
6. Suspension without pay by Superintendent
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

Classified employees may be terminated or suspended with or without pay only 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 actions shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

An employee may be relieved from duty for the remainder of the work day by the immediate supervisor, pending action by the Superintendent, when drugs, alcohol, and/or the safety of students or staff are involved.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the safety 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 determine whether the employee

is to return to active service or face disciplinary action. However, suspension with pay shall not exceed twenty (20) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond twenty (20) days, the Superintendent may lengthen the period of suspension, not to exceed an additional five (5) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

The Superintendent shall see that documentation to support the grounds for suspension with pay is provided to the employee and retained on file in the District.

#### **CAUSES FOR ACTION**

Any classified employee shall be subject to appropriate disciplinary or job 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 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. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.
10. Conviction of a felony or any crime involving moral turpitude.
11. Immorality or other unprofessional conduct.
12. Loss of licensure or certification required for the position.
13. 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.
14. 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.
15. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.

#### **DUE PROCESS PROVISIONS (SUSPENSION WITHOUT PAY/TERMINATION)**

When an employee is to be terminated under KRS 161.011 or suspended without pay, the Superintendent shall give the employee written notification of charges against him/her, to include a statement of the right to meet with the Superintendent to discuss such charges, and a form, the signing and filing of which will constitute a demand for the meeting and a denial of charges. The employee may request the meeting by filing the proper

form with the Superintendent within six (6) calendar days after receiving the notification of charges. The meeting shall occur within thirty (30) days of receipt of the written request.

The Superintendent shall develop procedures to implement due process provisions.

If it becomes necessary for the Superintendent to terminate the employment of an employee a terminating interview with the Superintendent may be scheduled on District time.

The termination date of an employee shall be the last actual working day.

### **OTHER DISCIPLINARY ACTIONS**

When charges result in disciplinary actions other than termination or suspension without pay and employees wish to contest the charges, they may submit a written response, which shall be placed in their file along with the written charges.

## **Reduction in Force**

### **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.

In the event it is necessary to reduce classified employees who have more than four (4) years of continuous active service, the Superintendent shall make reductions within each job classification affected based on the following:

1. Seniority in the District and qualifications required for the position, such as specialty license/training and whether the position is full-time or part-time, based on District needs.
2. Seniority and qualifications being equal, the classified employee who has the highest evaluation ratings will be retained.

### **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.

### **Non-renewal**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended non-renewals.

Non-renewal of contracts for classified personnel shall be made in compliance with the requirements of KRS 161.011, with written notice being mailed or provided to the employee by the Superintendent no later than May 15.

#### **BASIS FOR NON-RENEWAL**

The Superintendent may non-renew the contracts of classified employees with (4) years or more of continuous active service in the District for any legal reason. Classified employees with more than four (4) years of continuous active service in the District may be non-renewed 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 03.217,
8. A position becomes obsolete or redundant, due to program reorganization or 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, and/or
9. Reductions in funding, enrollment, or changes in the District or school boundaries, or other compelling reasons as determined by the superintendent.

### **Conflict of Interests**

#### **PECUNIARY INTEREST PROHIBITED**

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.<sup>1</sup>

No administrator or other employee shall solicit for personal financial gain from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through the use of confidential information gained in the course of or by reason of their 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.

### **Retirement**

#### **NOTICE**

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement.

#### **UNUSED SICK DAYS**

At the time of initial retirement and under provisions of KRS 161.155 (9), the Board shall compensate classified employees, or their estate, for unused sick days. The rate of compensation for each unused sick leave day shall be thirty percent (30%) of the daily salary rate calculated from 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. 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. Employees retiring from the District may be compensated for unused sick days only once, even if they are subsequently retiring. Retirement shall mean retirement from the County Employees' Retirement System.

#### **ESCROW ACCOUNT**

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

### **Evaluation Process**

#### **FREQUENCY AND TIME**

Each classified employee shall be evaluated at least once each year. This evaluation shall be performed by the Principal or the Immediate Supervisor by April 1.

#### **EVALUATION PROCEDURE**

The evaluations shall be made in writing, and the evaluator shall hold a conference with the evaluatee. The employer's written comments (if any) shall be attached to the report and the report filed with personnel records in the Central Office. An appeal process is available to employees who wish to appeal their evaluation.

#### **EVALUATION APPEAL**

An employee may appeal his/her evaluation as follows:

1. The employee may request a review of his/her evaluation with the immediate supervisor.
2. If a review is requested, the Superintendent/designee shall set the time and place of the review with the employee and immediate supervisor.

3. During the review process, the employee shall be given the opportunity to present any evidence or testimony supporting his/her position.
4. Within ten (10) working days of the hearing, the Superintendent/designee shall prepare and forward to the employee and the employee's supervisor a written response to the appeal.
5. All information relating to the employee's evaluation shall be placed in the employee's appropriate personnel file.
6. Time limits set forth in this section may be extended by the written mutual agreement of the employee and the Superintendent.

### **Staff Development**

The Superintendent shall develop and implement a program for continuing training for selected classified personnel in programs supported by Title I funds.

### **Substitute Teachers Qualifications**

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family services stating that there are no findings of substantiated child abuse or neglect on record) 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. Refusal of assignment as a substitute shall be documented, along with any reason provided.

#### **RETIRED TEACHERS**

Retired teachers may be reemployed as a part-time, temporary or substitute teacher in keeping with requirements of the Kentucky Teacher's Retirement System.

#### **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.

Unless excused by the Principal, substitute teachers shall attend faculty meetings held during their length of duty.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher. Substitute teachers shall 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.

Payment shall be made on the next scheduled pay date for substitutes.

#### **EMPLOYMENT NOTIFICATION**

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.

Non-renewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

## **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.

### **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 “Para educator,” 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.<sup>2</sup>

### **EDUCATIONAL REQUIREMENTS**

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

### **QUALIFICATIONS/CERTIFICATION**

If the school receives Title 1 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 paraprofessionals, if applicable.

### **SUPERVISION**

Paraprofessionals shall be under the direct supervision of certified teachers.<sup>1&2</sup> Each paraprofessional shall have a job description that limits assigned duties to the scope of the individual's competencies.

### **EVALUATION**

The Superintendent shall develop and implement procedures for an annual evaluation and professional development of paraprofessionals that are supported by Title I funds. Evaluation results shall be a factor in future employment decisions.

## **Volunteers**

### **DEFINITION**

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution who participates in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers.

### **SUPERVISION**

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff.

Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with the same liability insurance coverage as a District employee and shall be provided with a written task description detailing responsibilities and expectations, as well as specific qualifications that may be required.

#### **RECORDS CHECK**

The District shall conduct, at District expense, a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips.

Pursuant to KRS 160.380, the Superintendent/Designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CAN check. With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal or designee and the volunteer has undergone the required records check.

#### **ORIENTATION**

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

#### **COMMUNITY AGENCY VOLUNTEERS**

Volunteers working in the schools through community agencies (i.e., Big Brothers/Big Sisters) shall be subject to the same policies and procedures as other volunteers. In addition, a permission form from the parent must be completed each year and kept on file in order for the volunteer to work with a specific child or children.

### **Child Abuse**

#### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel actions.

#### **WRITTEN REPORT**

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original

report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### **WRITTEN RECORDS**

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

### **INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact the parent.

### **REQUIRED TRAINING**

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31<sup>st</sup>, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31<sup>st</sup>, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

### **DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If a professional as defined by KRS 209A.020, has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, they shall provide the victim with educational materials relating to domestic violence and abuse or dating violence and abuse. Those materials shall include information about how s/he may access regional domestic violence programs under KRS 209.160 or rape crisis centers under KRS 211.600 and information about how to access protective orders.

## **Employee Reports of Criminal Activity**

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

### **KRS 158.154**

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

### **KRS 158.155**

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
  - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
    - i Carrying, possession, or use of a deadly weapon; or
    - ii Use, possession, or sale of controlled substances; or
  - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred 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.

### **KRS 158.156**

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

### **KRS 620.030**

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

## Civility

### **BOARD INTENT**

The Board invites parental and community member involvement and recognizes that the vast majority of input received will be of a constructive and civil nature. This policy is designed to address those rare instances where that is not the case.

While it is not the Board's intent to deny an individual's right to freedom of expression, it has the responsibility to maintain, to the extent possible and reasonable, safe, harassment-free schools, school activities, and workplaces for students and staff and to minimize disruptions to the District's programs.

### **PREPARATION OF EMPLOYEES**

The Superintendent/designee shall implement intervention and response training to notify employees of this policy and their corresponding responsibilities and to prepare them to deal with incidents of incivility.

### **BEHAVIOR STANDARDS**

Persons coming onto District property shall be under the jurisdiction of the site administrator or designee.

District employees shall be courteous and helpful in interacting and responding to parents, visitors, and members of the public. In turn, individuals who come onto District property or contact employees on school or District business are expected to behave accordingly. Specifically, actions that are discouraged and may warrant further action include, but are not limited to:

1. Cursing and use of obscenities,
2. Disrupting or threatening to disrupt school or office operations,
3. Acting in an unsafe manner that could threaten the health or safety of others,
4. Verbal or written statements or gestures indicating intent to harm an individual or property, and
5. Physical attacks intended to harm an individual or substantially damage property.

Employees who fail to observe these standards in their own behavior shall be subject to appropriate disciplinary measures, up to and including dismissal.

### **EMPLOYEE OPTIONS**

In cases involving physical attack of an employee or imminent threat of harm, the first priority shall be for employees to take immediate action to protect themselves and others. In absence of an imminent threat, employees shall attempt to calmly and politely inform the individual of the provisions of this policy and/or provide him/her with a copy. However, if the individual continues to behave in a discourteous and uncivil manner, the employee may respond as needed, to include, but not be limited to, the following options:

1. Hang up on a caller;
2. End a meeting;
3. Ask the individual to leave the school;
4. Call the site administrator or designee for assistance; and/or
5. Call the police.

Employees shall submit to their immediate supervisor, as soon as possible, a written incident report for all such occurrences. The Superintendent/designee, on advice from the Board Attorney, shall determine whether an

incident indicates the need for a restraining order or pursuit of other legal options on behalf of the District. Individual employees are free to pursue other legal courses of action.

### **Use of Physical Restraint and Seclusion**

Use of physical restraint or seclusion by school personnel is subject to 704 KAR 007:160. However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

#### **DEFINITIONS**

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student’s torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

#### **PHYSICAL RESTRAINT**

##### *All School Personnel*

Use of physical restraint by all school personnel is permitted when a student’s behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

##### *Core Trained Personnel*

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student’s behavior poses an imminent danger of physical harm to self or others;
2. As provided in KRS 503.050 (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in KRS 503.070 (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in KRS 503.110 (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

## **Seclusion**

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

### **PARAMETERS**

The Board has established this policy and related procedures addressing use of physical restraint and seclusion that are designed to promote the safety of all students, school personnel, and visitors. As required by 704 KAR 007:160, school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the District's local code of acceptable behavior and discipline and District employee handbooks.

### **TRAINING**

Training of personnel on use of physical restraint and seclusion shall be provided as required by 704 KAR 007:160:

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by 704 KAR 007:160.
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by 704 KAR 007:160. (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

### **REQUIRED PROCEDURES**

The Superintendent/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

### **NOTIFICATION REQUIREMENTS**

The Principal of the school shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Superintendent/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

### **DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

#### **PARENT COMPLAINTS**

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the Board's grievance policy and procedures. On receipt of a complaint, the District and school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

#### **STATEMENT FROM PHYSICIAN**

The Superintendent/designee shall review and respond in writing to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

#### **DOCUMENTATION**

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by 704 KAR 007:160.

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Superintendent/designee shall review data on District use of physical restraint and seclusion to identify any recommendations to be made to the Board for policy and procedure revisions.

### **TRANSPORTATION PERSONNEL**

#### **Bus Drivers' Responsibilities**

All bus drivers shall meet the qualifications of and be in compliance with the responsibilities noted in Kentucky Administrative Regulations.

#### **BUS LOADING LIMITS**

No bus shall exceed the rated seating capacity. All children shall be seated before the bus moves from the parking lot and shall remain seated while the bus is in motion. The driver shall be responsible for loading regular riders first and then children with special permission or with notes from their parents.

A bus driver may exceed the rated seating capacity of the bus on incoming runs only in emergency situations to avoid leaving children by the roadside. The bus driver shall be responsible for securing the names of excess or new passengers and reporting this information immediately to the Coordinator of Transportation. The Coordinator of Transportation shall take immediate action to correct the situation within the limits of his/her authority and/or make a report to the Board at the next Board meeting.

## **WALKTHROUGH AT END OF RUN**

Bus drivers shall conduct a walkthrough of their buses at the end of each run to ensure that all students have disembarked at their designated stops.

## **DISCIPLINARY ACTION**

Bus drivers who fail to observe/perform their responsibilities shall be subject to appropriate disciplinary action.

## **Bus Drivers' Use of Tobacco and Other Substances**

### **TOBACCO PRODUCTS**

Use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305, shall be prohibited twenty-four (24) hours a day, seven (7) days a week, inside Board-owned buildings or vehicles, on school-owned property, and during school-related student trips.

### **DEFINITIONS**

The following definitions apply for purposes of drug and alcohol testing required by federal and state law:

"Drugs" refers to controlled substances as prohibited by the Omnibus Act, including but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

"Alcohol" refers to the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including but not limited to, methyl and isopropyl. Alcohol use includes the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

### **USE PROHIBITED**

All employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of alcohol:
  - a. While on duty;
  - b. Four (4) hours before driving;
  - c. Eight (8) hours following an accident; or
  - d. Consumption resulting in prohibited levels of alcohol in the system.

### **REQUIRED REPORTS**

- DRIVERS TAKING MEDICATION EITHER BY PRESCRIPTION OR WITHOUT PRESCRIPTION SHALL REPORT TO THE IMMEDIATE SUPERVISOR AND SHALL NOT DRIVE IF THAT MEDICATION MAY AFFECT THE DRIVER'S ABILITY TO SAFELY DRIVE A SCHOOL BUS OR PERFORM OTHER DRIVER RESPONSIBILITIES.
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administrative Regulation.

### **TESTING**

All covered applicants and employees shall be subject to pre-employment testing (controlled substances only), and reasonable suspicion, random and post-accident testing for drugs and alcohol. Return-to-duty and follow-up testing shall also be required.

All offers of employment with the District shall be made contingent upon testing results. An applicant who tests positive shall not be employed.

Current employees who test positive shall be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy and administrative procedures. A school bus driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (Drivers found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be dismissed from employment in accordance with Kentucky Administrative Regulation and Board policy and shall not be eligible for reemployment for five [5] years.)

Employees who test positive shall be notified of referral services. Additionally, employees shall be subject to CDL prohibitions and penalties under the Omnibus Act and applicable Federal Motor Carrier Safety Regulations.

Applicants who refuse drug testing shall be eliminated immediately from employment consideration. Current employees who refuse to comply with testing requirements will be regarded as insubordinate and shall be subject to disciplinary action, up to and including dismissal.

Refusal to submit to an alcohol or controlled substance test means that the individual demonstrated noncompliance, including but not limited to the following actions:

- Failed to appear for any test within a reasonable period of time as determined by the employer and consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a sample specimen for any required test;
- Failed to provide a sample in an amount sufficient for testing without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substantiated a test result as report as reported by the Medical Review Officer.

#### **TESTING COSTS**

Pre-employment drug testing costs shall be paid for by the District. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the District.

#### **MATERIALS TO BE PROVIDED**

The Superintendent/designee shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the district's policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.<sup>1</sup>

Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administrative Regulation.

## **Driver and Substitute Driver Training**

### **SUPERINTENDENT RESPONSIBILITY**

The Superintendent shall be responsible for providing the annual required in-service school bus driver training in accordance with 702 KAR 005:030 and 702 KAR 005:080.

All training requirements include both regular and substitute drivers.

### **COMMERCIAL DRIVER'S LICENSE**

The Board may pay the fee for the commercial driver's license required for all bus drivers and substitute bus drivers. Any license certification beyond what is required to drive school buses must be paid for by the individual.

## **Use of Communication Devices on Bus**

Two-way mobile radios or cellular phones placed in the school buses operated by the District can be an important safety device if properly used. The purpose of these radios/phones is to provide instant communication with the base units (located in the bus garage and the Central Office) in case of an accident, mechanical problems, or a misplaced child. The following rules and procedures for the use of mobile radios/cellular phones shall be followed: 1) the radio/phone will be used for school business only. 2) Students or unauthorized persons are not to use the radio/phone. 3) A driver using the radio/phone to report an accident or breakdown shall give the following information: the FCC number, driver identification number, or bus number, as appropriate; the location of the bus; whether or not medical assistance and/or an ambulance is required; whether or not a police officer is needed; whether or not a replacement bus is needed; and whether or not a wrecker is needed. 4) The FCC number, driver identification number, or bus number, as appropriate, shall be used when the driver is talking with another vehicle. 5) The driver shall keep the radio/phone on at all times s/he is in or around the bus. 6) The driver shall not attempt to repair the radio/phone; if it develops a problem, it should be taken to the bus garage for repair. 7) The radio/phone shall be protected from vandalism and theft. The driver shall be responsible for securing the radio/phone when the bus is vacant.

### **Restrictions While Operating**

Bus drivers shall not use a cellular telephone of any type when transporting one (1) or more children and shall not use any communication device to text or email while operating a vehicle (District-owned or otherwise) while on District business, unless the vehicle is parked or unless there is a bona fide emergency, which shall include, but not be limited to, the need to make the following communications:

- Report illegal activity;
- Summon medical help;
- Summon a law enforcement or public safety agency; or
- Prevent injury to a person.

EXCEPTION; The above prohibition does not apply to use of an authorized two-way radio or cell phone (when a bus is not equipped with a functioning two-way radio) for dispatch purposes.

## **Bus Scheduling and Routing**

### **RESPONSIBILITY**

The Superintendent or designee shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the instructional day.

Buses shall be routed only on public roads which are safe for bus travel.

### **REGULAR ROUTE VEHICLES**

Except in cases of emergencies or for the transportation of students with disabilities, only school buses as defined by applicable statute and administrative regulation shall be used for transporting students to and from school along regular bus routes.

## **Eligibility for Transportation**

### **DISTANCE LIMITATION**

Pupils shall be eligible to be transported to and from school if they reside more than one (1) mile, by the nearest traveled road or street, from the school to which they are assigned. If traffic or other safety conditions make walking to school extremely hazardous, pupils shall be eligible for transportation without regard to the distance to their school.

### **PRESCHOOL TRANSPORTATION**

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

### **MODIFICATION**

The Board reserves the right to modify the distance limitation where conditions make it advisable to include certain geographic, subdivision, or neighborhood areas.

Students shall be required to walk to certain centralized bus stops on public roads where traffic hazards would not make it feasible to stop buses in front of their homes. Students who live close together shall be required to assemble themselves at a certain point to be picked up by the bus.

### **TRANSFER STUDENTS**

Students who attend a school, other than their assigned schools, shall provide their own transportation to and from school.

### **NONRESIDENT STUDENTS**

Provided they reimburse the Board for the average cost per pupil transported, load and disembark at a regular bus stop within the District, and do not interfere with the regular transportation of pupils, nonresident students may be transported to and from school.

## **PERSONS NOT ELIGIBLE**

Persons not of school age, parents of students, and persons not associated with the schools shall not be permitted to ride the buses during the scheduled transporting of students.

## **Regular Bus Stops**

### **DISCHARGE OF PUPILS**

The bus driver shall discharge pupils at their regularly scheduled stops only, except with written authorization from the Principal/designee to discharge a pupil at another location.<sup>1</sup> Preschool students shall be transported in accordance with applicable regulations.<sup>2</sup>

The Principal/designee shall have authorization from a child's parents before permitting discharge at a location other than the regular stop.

### **EXCEPTION**

The driver may discharge a pupil for disciplinary reasons in accordance with Policy 06.34 of this manual and with 702 KAR 005:080.

## **Conduct on Bus**

### **PRINCIPAL AUTHORITY**

Consistent with the District Code of Acceptable Behavior and Discipline, the Principal/designee has authority to discipline pupils who ride school buses.

### **REPORTING OF VIOLATIONS**

The bus drivers shall promptly report any violation of district policy or school rules to the Principal on the appropriate "Bus Conduct Report" form.

### **DISCHARGE OF PUPILS FROM BUS**

The driver is in charge of his bus, and his first responsibility shall be to the safe transportation of his passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, as a last resort the driver is authorized to order the offending pupils from the bus. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.<sup>1</sup>

### **WITHHOLDING OF RIDING PRIVILEGES**

The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.

The Superintendent or his designee may withhold bus-riding privileges up to the remainder of the school year.

## **RESTITUTION OF DAMAGES**

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

## **STUDENTS WITH DISABILITIES**

Students with disabilities who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and the legal obligations and standards adopted by the Board.<sup>2</sup>

## **Hazards in and on Bus**

### **PROHIBITED ITEMS**

Passengers shall not bring any item on the school bus that might block the center aisle, step well, emergency door, entrance door, or any windows that would be dangerous in case of collision or that would present an additional fire hazard, or that would take up needed pupil seating space.

A driver shall not knowingly permit any of the following to be transported on the bus:

1. Firearms or weapons, either operative or ceremonial;
2. Fireworks or any other explosive materials of any type;
3. Live animals; Note: animals that are not a risk to other bus riders and that are necessary to enable a person to safely utilize the bus transportation as documented by adequate medical evidence, or required by a student's Individual Education or 504 Plan, or a service animal shall be allowed on the bus.
4. Preserved specimens that would likely frighten any pupil or cause a commotion on the bus; or
5. Glass objects or helium balloons.

**BUS CONDUCT REPORT**  
**Woodford County Schools**  
**330 Pisgah Pike**  
**Versailles, KY 40383**

Student's Name \_\_\_\_\_ Date of Incident \_\_\_\_\_

Driver's Name \_\_\_\_\_ Bus No. \_\_\_\_\_ School \_\_\_\_\_

**BEHAVIOR VIOLATION**

**DISCIPLINARY OPTIONS**

Mark Violation	Warning And/Or Remedial Training	3 Days Off Bus	5 Days Off Bus	10 Days Off Bus	Handled Under Student Discipline Code	Referred For Bus Expulsion	Driver Removes Immediately
Physical Abuse of Personnel					X	X	X
Weapons/Drugs/Alcohol				X	X	X	X
Fight/Open Flames/Fireworks			X	X		X	
Sexual Behavior			X	X		X	
Use of Tobacco/Vapor/Nicotine Products.			X	X		X	
Verbal Abuse of Personnel		X	X	X		X	
Profanity	X	X	X	X	X	X	
Vandal (restitution to be made)	X	X	X	X			
Refused to sit in assigned seat	X	X	X	X			
Refused to follow instructions	X	X	X	X			
Pushing/Tripping/ Throwing	X	X	X	X			
Screaming/Hanging out window	X	X	X	X			
Eating/Drinking/Littering	X	X	X	X			
Excessive Mischief/Annoying	X	X	X	X			
Not riding assigned bus	X	X	X	X			
Not staying in seat	X	X	X	X			
Possession of Prohibited Items	X	X	X	X		X	
Other (Specify)	X	X	X	X	X	X	X

**PRELIMINARY ACTION TAKEN BY DRIVER**

Student Warned \_\_\_\_\_ Student Assigned Seat \_\_\_\_\_ Other \_\_\_\_\_

**DRIVER'S COMMENTS**

\_\_\_\_\_

**PRESENT ACTION TAKEN BY PRINCIPAL**

\_\_\_\_ Student Warned/Remedial Training \_\_\_\_\_ Conference with Student's Parents  
 \_\_\_\_ Student suspended from riding all buses starting \_\_\_\_\_ for \_\_\_\_\_ days.

The date the student can return riding the bus will be \_\_\_\_\_.

**PRINCIPAL'S COMMENTS**

\_\_\_\_\_

Drivers Signature \_\_\_\_\_  
 Date \_\_\_\_\_

Principal's Signature \_\_\_\_\_  
 Date \_\_\_\_\_

## School-Sponsored Trips

### USE OF SCHOOL VEHICLES

The use of Board-owned vehicles for special trips depends upon the availability of vehicles and qualified, licensed drivers.

Groups who wish to use Board-owned vehicles for special trips shall submit in advance an application to the Principal who shall forward the completed application to the Superintendent for approval.

For further information about school-sponsored trips, see policy 09.36.

### LIMITS

The Superintendent shall recommend to the Board, after consulting with the proper officials within the Department of Education, the appropriate limits of liability and collision insurance for all Board-owned vehicles.

### Use of Buses by Outside Groups

The Board may, at its discretion, enter into contracts to lease Board-owned vehicles to outside groups or individuals. Such lease agreements shall include the following express conditions:

1. School buses may be used only when they are not being used for school purposes. They shall not be used at any time that may conflict with their availability for school use.
2. School buses shall only be leased or rented in exchange for reasonable and adequate compensation.
3. Groups or individuals contracting for the use of school buses shall show evidence of insurance sufficient to cover all liability and losses of all persons who might reasonably be held responsible including the members of the Board of Education and the District. The Board shall be listed as an additional insured.
4. The groups or individuals using the vehicle or vehicles shall carry adequate collision insurance to cover the value of said vehicle or vehicles.

Property Damage Each Accident	\$100,000.
Bodily Injury Liability Per Person	\$250,000.
Bodily Injury Liability Per Bus Load	\$2,000,000.
Uninsured Motorist Coverage	Allowable Limit Per Person Per Accident
No Fault Coverage Per Person	\$50,000.

5. Groups that are not trained in emergency evacuation drills will be given training prior to the trip.

## FOOD SERVICE PERSONNEL

### FOOD SERVICE DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service Director (FSD) to oversee and manage the school food service program.

### FOOD SERVICE EMPLOYEES

All food service/school nutrition employees shall meet the qualifications of and be in compliance with the responsibilities noted in federal regulation or 702 KAR 006:045, whichever is most stringent. In addition, food

service/school nutrition program directors and school cafeteria managers shall meet training and credential requirements specified in statute.

### **SERVICE NOTIFICATION**

The Superintendent or his designee shall notify in writing each full-time food service employee of his hours, terms, and conditions of employment; lines of authority; general responsibilities; and shall include a service termination policy.

Full-time food service employees shall be paid in accordance with a uniform pay scale.

### **SERVICE TERMINATION FOR FOOD SERVICE EMPLOYEES**

Full-time food service employees are employed annually for the period of time students are in school and for reasonable periods at the beginning and end of the school year, as determined by the Board.

### **TERMINATION FOR CAUSE**

Employment of food service employees may be terminated for cause at any time by the Superintendent for the reasons specified in policy 03.27.

### **SUSPENSION WITHOUT PAY**

A food service employee may be suspended without pay for good reason by the Superintendent, pending action to consider the employee's status.