



Memorandum

To: Board Policy Committee Members; Board Members
Copy: Jimmy Adams, Cherri Beckert
From: Jonathan Lowe, Executive Administrator, Policy & Systems

RE: DEFINITIONS OF “RELATIVE” IN BOARD POLICIES

As requested by the Board Policy Committee, I have reviewed Board policies to determine how the term “relative” is defined in different policies. Here are key findings:

- In all policies, the term “relative” includes father, mother, brother, sister, husband, wife, son, and daughter. Some policies also include additional types of relatives in the definition. Types of relatives are included through one of several ways:
 - Providing a reference to the definition of “relative” in KRS 160.380, which includes that specific set of eight relatives;
 - Setting forth a written-out list of the same types of relatives as in KRS 160.380;
 - Setting forth a longer list of types of relatives that includes those types of relatives in KRS 160.380, as well as other types of relatives; and
 - Using a broader term such as “relative by blood or marriage,” that includes those types of relatives in KRS 160.380, as well as other types of relatives.
- In those policies where more types of relatives than are in KRS 160.380 are included, the broader definition appears to be based on legitimate and intentional policy choices:
 - **03.1236 and 03.2236 Emergency Leave** provide as a permissible reason for use of emergency leave the “death or funeral of a relative by blood or marriage.” Were the more limited KRS 160.380 definition to be used instead, the death or funeral of a mother-in-law, uncle, niece, grandparent, etc... would not be covered.
 - **03.131 and 03.231 Assignment** prohibit supervisory relationships between relatives, including those in KRS 160.380, plus aunt, uncle, niece, nephew, son-in-law, daughter-in-law, son-in-law. Supervisory relationships within that set of relatives could clearly raise concerns, which is the basis for the longer list.
 - **03.1232 and 03.2232 Sick Leave** permits the use of sick leave to care for an “immediate family member,” including those in KRS 160.380, plus step-child, foster child, grandchild, grandparent, spouse’s parent, son-in-law, daughter in-law. This broader list reflects the wider range of people who might be expected to be cared for by an employee.

- In the following policies, the written-out list of eight relatives could be changed to “as defined in KRS 160.380,” though such a change is not necessary. The argument in favor of the changes is that Board policies would not have to be updated if there were future any statutory change. The argument against the change is that the specific types of relative would not be listed in the policy, and thus would not be as easily available to the reader of the policy.
 - 03.421 Election of School Council members (SBDM)
 - 03.11 Hiring (Certified) – Paragraph prohibiting the influencing of hiring; paragraph prohibiting supervision of a relative.
 - 03.21 Hiring (Classified) – Paragraph prohibiting the influencing of hiring; paragraph prohibiting supervision of a relative.

Please feel free to contact me with any questions.