

- CLASSIFIED PERSONNEL -**Sick Leave**

Sick leave shall be granted to employees in accordance with the limits and restrictions set by law provided the employee has not exhausted the current and accumulated sick leave credit. Employees must be in active pay status or on an approved leave during their scheduled work year in order to utilize sick leave, unless the employee submits documentation to support a leave under Board Policies 03.22322 Family and Medical Leave or 03.2234 Medical Leave.

A new classified employee or a former employee rehired in a classified position shall not be paid for sick leave while serving in the ninety (90) day probationary period. A new classified employee or a former employee rehired in a classified position may be granted an unpaid leave for no more than ten (10) days while serving in the ninety (9) day probationary period, if a certificate of a physician covering the absence(s) is submitted. A permanent employee placed on probation for disciplinary reasons, shall be paid for any accumulated sick leave in the event of illness during this probationary period.

A classified or former employee rehired in a classified position may be granted up to ten (10) additional days while serving in a ninety (90) day new hire probationary period, if a physician attests that the employee has a medical condition that will require extended time off. A Certification of Healthcare Provider form from the Leave Center must be completed by the attending physician who indicates an extended leave is necessary. The new hire probationary period for a classified or former employee rehired in a classified position with a medical condition related to the Kentucky Pregnancy Act, may be granted up to twenty (20) additional days beyond those described above.

Part-time classified, new hire probationary, temporary, seasonal, and substitute employees, and student workers, shall be excluded from paid sick leave.

AFFIDAVIT

Except as provided above, sick leave may be granted to an employee upon presentation of a personal affidavit or a certificate of a physician stating that the employee or member of employee's immediate family was ill on the day or days absent from duty and providing the employee has not exhausted the current and accumulated sick leave credit.¹

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the classified employee to whom they were granted.

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 and 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.

Sick Leave

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 which the employee was entitled on the date of transfer to the District.

SICK LEAVE DONATION PROGRAM

A sick leave donation program shall be established as required by law. The Superintendent shall establish pcedures to implement this program.

SICK LEAVE BANKS

Sick leave banks may be established as provided by law.

REFERENCES:

[KRS 161.155](#)

[OAG 79-148](#)

[OAG 93-39](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322

03.2233

03.2234

03.224

03.273

Adopted/Amended: 5/12/2020

Order #: 2020-56

-CERTIFIED PERSONNEL-**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
5. Medicare (FICA), for employees newly hired after 3/31/86.

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. Board approved Tax Sheltered Annuity program;
2. Board approved Mutual Funds program;
3. Board approved voluntary insurance plans;
4. Class Act Federal Credit Union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for professional teachers' organizations or Unions;
7. Charitable contributions for Metro United Way, Fund for the Arts, Minor Daniels Scholarship Fund, [Evolve502 Scholarship Fund](#), or Crusade for Children.
8. Contributions for the JCPS Employee-Sponsored Scholarship Fund.

For any agreement between employers and employees or labor organizations entered into after January 9, 2017, 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 unless authorized by the Board.

SIGNED REQUEST REQUIRED

No optional payroll deduction, authorized by the Board, shall be deducted from an individual employee's salary without a signed request or electronic authorization from that employee affirmatively requesting the optional deduction. The Superintendent shall develop the manner and time for filing such requests.

CHANGES IN DEDUCTIONS

Designated payroll deductions shall remain in effect for the scheduled deduction period until a change or cancellation notice is received in the payroll department. Upon receipt of such notice, the payroll officer will put into effect such changes on the next appropriate scheduled pay date, unless contrary to state or federal regulations.

REFERENCES:

[KRS 18A.230](#); [KRS 160.291](#); [KRS 161.158](#); [KRS 336.134](#)
[702 KAR 001:035](#); [OAG 72-802](#)

Adopted/Amended: 7/21/2020

- CLASSIFIED PERSONNEL -**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational taxes, when applicable;
3. The County Employees' Retirement System or the Kentucky Teachers' Retirement System;
4. Union dues;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
6. Medicare (FICA) - applicable to personnel enrolled in the Kentucky Teachers' Retirement System newly hired after 3/31/86; and all employees enrolled in the County Employees' Retirement System.

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. Board approved Tax Sheltered Annuity programs;
2. Board approved Mutual Fund programs;
3. Board approved voluntary insurance plans;
4. Class Act Federal Credit Union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Optional Membership dues for professional organizations or Unions;
7. Charitable contributions for Metro United Way, Fund for the Arts, Minor Daniels Scholarship Fund, [Evolve502 Scholarship Fund](#), or Crusade for Children.
8. Contributions for the JCPS Employee-Sponsored Scholarship Fund.

For any agreement between employers and employees or labor organizations entered into after January 9, 2017, 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 unless authorized by the Board.

SIGNED REQUEST REQUIRED

No optional payroll deduction, authorized by the Board, shall be deducted from an individual employee's salary without a signed request from that employee affirmatively requesting the optional deduction. Such request must be filed on forms to be developed by the Superintendent. The Superintendent shall develop the manner and time for filing such requests.

Salary Deductions

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[702 KAR 001:035](#)
[OAG 72-802](#)

Adopted/Amended: 7/21/2020
Order #: 2020-101

Fund-Raising Activities

DEFINITION

Fund-raising is an organized activity of soliciting and collecting money for school or student organizations. Contributions and collections derived from school-sponsored fund-raising activities shall be deposited in the school's activity fund bank account or the District bank account.⁴

APPROVAL REQUIRED

All schoolwide fund-raising activities must be approved by the Board.¹ The Principal shall submit the fundraiser approval form (Form F-SA-2a) to the appropriate area assistant Superintendent.

All other fund-raising activities, including the proposed use of the funds, shall be approved by the Principal or a designee.

External support/booster organizations shall obtain prior Board approval to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

All funds raised for a specific purpose shall be used for that purpose.

SUBSCRIPTION SALE OF PRINTED MATERIAL

The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors and the duration of sales.²

GAMING ACTIVITIES LICENSE

No school or student class/organization may obtain a charitable gaming license and/or sponsor charitable gaming activities. School-related booster/support organizations planning to conduct charitable gaming activities, as defined by law and Accounting Procedures for Kentucky School Activity Funds, shall obtain and display the appropriate license.³

STUDENT NOT COMPELLED

No student shall be compelled to participate in, solicit, or meet any kind of quota in a fund-raising activity.¹ Students choosing not to participate in a fund-raiser shall not be excluded from benefitting from the fund-raiser or otherwise penalized in any way.³

CONDUCT OF ACTIVITIES

All fund-raising activities conducted by school-sponsored groups and Board approved external support/booster organizations shall benefit the entire group.

- School-sponsored groups shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

This policy does not prohibit the employment or use of students for the selling of athletic or other school sponsored activity tickets, as well as other items at school events.

Fund-Raising Activities**CONDUCT OF ACTIVITIES (CONTINUED)**

- Any support/booster organization wishing to be recognized by and/or affiliated with the District shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student. No dues, fees, or charges shall be assessed to students or parents.

Students are permitted to take home flyers, announcements, and information concerning fund-raising activities by Board approved external support/booster organizations.

CHARITABLE CONTRIBUTIONS

The Board has approved participation for employees and students in the following community campaigns:

- Metro United Way
- Fund for the Arts
- Crusade for Children
- Minor Daniels Scholarship
- Evolve502 Scholarship

Additionally, employees are offered the opportunity to contribute to the JCPS Employee-Sponsored Scholarship Fund.

Each school may select one (1) other organization or campaign which has been prescreened by the District's Office of Resource Development to which contributions may be solicited on a local school basis. Additional solicitations for charitable contributions may be approved by the Superintendent/designee.

REFERENCES:

¹[KRS 158.290](#)

²[KRS 367.515](#) (3)

³[KRS 238.505](#); [KRS 238.535](#); [KRS 238.540](#)

⁴[Accounting Procedures for Kentucky School Activity Funds](#)

[KRS 156.160](#); [KRS 158.854](#)

[OAG 78-508](#); [OAG 79-330](#); [OAG 79-556](#)

RELATED POLICY:

04.312

Adopted/Amended: 7/21/2020

Order #: 2020-101

- CERTIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

The District is committed to maintaining a drug-free workplace.

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. 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 prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to [KRS 218A.020](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

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.
- 2.3. [Substances containing Tetrahydrocannabinol \(THC\). \(Employees are cautioned that many legally available Cannabinol \(CBD\) products, due to poor manufacture and/or regulation, contain THC and their use will result in a positive THC test which will be considered a positive THC test for all purposes under these policies\).](#)

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

For purposes of this policy, "workplace" shall include any site where District work is performed, including school buildings, school premises, property owned, leased or used by the District for educational or business purposes, school-owned vehicles, or other school-approved vehicles used for school business or to transport staff members or students to and from school or school activities. "Workplace" also includes any school-sponsored or school-approved activity, event or function

Drug-Free/Alcohol-Free Schools

such as a field trip or athletic event that is held off school property and in which students or staff members are under the jurisdiction of the District.

SUSPENSION/TERMINATION/NON-RENEWAL

Any employee who violates the terms of this policy 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.

REPORTING

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 use, possession, or sale of controlled substances 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.

POST-DISCIPLINE DRUG TESTING

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

AWARENESS AND PREVENTION PROGRAM

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

1. The dangers of drug/alcohol/substance 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, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

Drug-Free/Alcohol-Free Schools

REFERENCES:

[KRS 160.290](#); [KRS 160.380](#); [KRS 161.120](#); [KRS 161.175](#)
[KRS 161.790](#); [KRS 217.900](#); [KRS 218A.1430](#); [KRS 218A.1447](#)
[016 KAR 001:030](#); [701 KAR 005:130](#); 34 C.F.R Part 85

RELATED POLICIES:

03.1325
03.17
08.1345
09.2241

Adopted/Amended: 11/25/2013
Order #: 2013-191

- CLASSIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

The District is committed to maintaining a drug-free workplace. District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. 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.

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DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to [KRS 218A.020](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

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.
- 2.3. Substances containing Tetrahydrocannabinol (THC). (Employees are cautioned that many legally available Cannabinol (CBD) products, due to poor manufacture and/or regulation, contain THC and their use will result in a positive THC test which will be considered a positive THC test for all purposes under these policies).

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

For purposes of this policy, "workplace" shall include any site where District work is performed, including school buildings, school premises, property owned, leased or used by the District for educational or business purposes, school-owned vehicles, or other school-approved vehicles used for school business or to transport staff members or students to and from school or school activities. "Workplace" also includes any school-sponsored or school-approved activity, event or function

Drug-Free/Alcohol-Free Schools

such as a field trip or athletic event where students or staff members are under the jurisdiction of the District.

SUSPENSION/TERMINATION/NON-RENEWAL

Any employee who violates the terms of this policy 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.

REPORTING

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 use, possession, or sale of controlled substances 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.

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

REFERENCES:

[KRS 160.290](#); [KRS 217.900](#); [KRS 218A.1430](#); [KRS 218A.1447](#)
34 C.F.R. Part 85

RELATED POLICIES:

03.2325; 03.271
08.1345; 09.2241

Adopted/Amended: 11/25/2013
Order #: 2013-191

Model Procurement Code Purchasing

AUTHORITY

The Kentucky Model Procurement Code contains specific provisions in [KRS 45A.345](#) to 45A.460 that may be adopted by local public agencies, including local boards of education. The Board has adopted the local public agency provisions of the Code. [KRS 45A.343](#) provides that no other statutes governing purchasing shall apply to the local public agency upon adoption of these provisions. The Board has adopted procurement regulations, not inconsistent with the local public agency provisions, as permitted by [KRS 45A.360](#). The Superintendent shall develop procedures for the implementation of the local public agency provisions of the Code and the Board's procurement regulations.

GENERAL PURCHASING REQUIREMENTS

All contracts and purchases shall comply with the local public agency provisions of the Code and the Board's procurement regulations. All contracts and purchases shall be made through competitive sealed bidding¹ or competitive negotiation, both of which may include the use of a reverse auction, unless the purchase or contract satisfies the requirements for noncompetitive negotiation or small purchases.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$30,000.⁴

SUPERINTENDENT TO APPROVE PURCHASES

The Board shall authorize the Superintendent to approve purchases, in accordance with small purchase procedures adopted by the Board, for any contract for which a determination is made that the aggregate amount of the contract does not exceed twenty thousand dollars (\$20,000) and require the Superintendent to provide a quarterly report to the Board on any purchases made under this provision.⁵

IDENTIFYING FORMER BUSINESS NAMES

In addition, all contractors submitting bids on any District construction project over twenty thousand dollars (\$20,000) shall submit a list identifying all former business names under which the contractor had operated in the past five years.

PURCHASING FROM MINORITY, WOMEN, AND VETERAN-OWNED ENTERPRISES

The Board supports the purchase of goods; construction, renovation and repair services; and other services from minority, women, and veteran business enterprises (M/W/VBE) by the District.

The District shall develop and implement purchasing procedures, in accordance with the Kentucky Model Procurement Code ([KRS 45A.345](#) to 45A.460) and related administrative regulations, and other pertinent state and federal laws that actively promote increasing opportunities for M/W/VBE to become vendors providing goods and services to the District.

This policy and related procedures shall establish expectations of good faith efforts by prospective vendors for M/W/VBE participation and include mechanisms to document and measure those efforts.

Model Procurement Code Purchasing

LEADERSHIP

District leadership shall take an active role to ensure effective implementation of this policy. The Superintendent, Chief Operations Officer, Chief Financial Officer, and Chief Equity Officer and Coordinator Minority Enterprise shall:

1. Review the results of the performance of the District's implementation of this policy with internal management personnel on a periodic basis;
2. Articulate in written and verbal communication, internally and externally, the District's interest in achieving the goal of increasing opportunities for M/W/VBE participation with District procurement;
3. Issue periodic reports to the Board and to other internal and external stakeholders; and
4. Engage in other leadership activities contributing to increasing the utilization and meeting of M/W/VBE goals of this policy.

ADMINISTRATION

The Purchasing Department and Facility Planning Department shall incorporate procedures established under this policy as part of their financial and management responsibilities over District procurement processes. The Chief Equity Officer and the Coordinator Minority Enterprise shall be responsible for supporting effective implementation of this policy.

DEFINITIONS

As used in this policy:

Construction, renovation, and repair services means the erection, construction, alteration, or repair of District facilities.

Goods means supplies, materials, and equipment.

Other services means services procured by District that are not construction, renovation, and repair services.

Minority Business Enterprise (MBE) means a business that is certified as being at least fifty-one percent (51%) controlled by one (1) or more racial/ethnic minority persons of either sex. A racial/ethnic minority person shall be described as follows: Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, Hispanic or Latino.

Woman Business Enterprise (WBE) means a business that is certified as being at least fifty-one percent (51%) controlled by one or more non-minority women.

Veteran Business Enterprise (VBE) means a small business that is certified as being at least fifty-one percent (51%) controlled by one (1) or more veterans, and that has one or more veterans managing day-to-day operations and also making long-term decisions.

M/WBE means a minority and women business enterprise.

M/W/VBE means a minority, women and veteran-business enterprise.

Model Procurement Code Purchasing

CERTIFICATION OF M/W/VBE

M/W/VBE are certified and classified by a variety of entities. The District shall accept M/W/VBE certification from any bona fide certifying entity, including, but not limited to Louisville Metro Government, the Kentucky Finance and Administration Cabinet, Tri-State Minority Supplier Development Council, and the National Women's Business Enterprise Council. Additionally, District staff may classify businesses that are not certified by the above entities if a business demonstrates that it meets the certifying entities' definition of an M/W/VBE.

SUPPORT FOR M/W/VBE VENDOR UTILIZATION

The District shall maintain a master database of MBE, WBE, and VBE vendors, and establish procedures for its use, to assist District staff responsible for bidding and purchase process in meeting good faith effort requirements.

The District shall establish an ongoing outreach effort to M/W/VBE vendors, including, but not limited to providing information and guidance regarding doing business with the District, assisting vendors with the District's e-procurement system. The District shall establish and maintain partnerships with existing management and technical assistance providers to assist M/W/VBE in securing and meeting performance expectation for District contracts.

M/W/VBE GOALS AND GOOD FAITH EFFORT

For Construction, Renovation, and Repair Services Projects, the District's goals are as follows:

1. Fifteen percent (15%) MBE participation;
2. Ten percent (10%) WBE participation; and
3. VBE participation at a rate established by the Chief Equity Officer and the Chief Financial Officer based on research of best practices of peer school districts and other governmental entities.

Bidders who utilize subcontractors shall make good faith efforts to meet the District's M/W/VBE goals for subcontractors used for each project on which they bid. Bidders who do not meet the goals shall submit documentation of their good faith efforts in soliciting pricing, as set forth in the District's procedures for bidders. Award of contract shall be conditional upon the bidder's satisfaction of these requirements.

PURCHASE OF GOODS AND OTHER SERVICES

District staff shall make good faith efforts to utilize M/W/VBE vendors in accordance with standards and documentation requirements set forth in District purchasing procedures. At a minimum, District staff responsible for soliciting three price quotes for non-bid items shall make a good faith effort to include at least one M/W/VBE vendor per bid, identified utilizing the master database maintained by the Coordinator Minority Enterprise and other means.

Model Procurement Code Purchasing

DETERMINATION OF ANNUAL GOALS

Each year, the Coordinator Minority Enterprise establish a goal-setting work group to set aspirational goals for M/W/VBE utilization the next fiscal year in the following categories:

1. Construction;
2. Architecture and Engineering;
3. Professional Services;
4. Goods; and
5. Other Services.

DOCUMENTATION, REPORTING, AND EVALUATION

The Coordinator Minority Enterprise shall establish procedures for the collection, maintenance, and tracking of records at the District, division, department and school level relating to implementation of this policy to include, but not be limited to:

1. Documentation of compliance with the good faith effort requirements including periodic site visits; and
2. Statistics regarding the utilization of M/W/VBE by District Divisions, Departments, and Schools.

The Chief Equity Officer shall:

1. Submit quarterly written reports to the Board regarding the implementation of this policy; and
2. Conduct periodic formal evaluations of the effectiveness of the M/W/VBE program.

ETHICAL STANDARDS

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in [KRS 45A.455](#) and the Board's procurement regulations.

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.³

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, "gratuity" means a payment, loan, subscription, advance, deposit of money, services, or anything of more than twenty-five dollars (\$25.00) in value, present or promised, unless consideration of substantially equal or greater value is received. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

Model Procurement Code Purchasing

PREFERENCE FOR RESIDENT BIDDERS

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.²

USE OF NON RESIDENT SUBCONTRACTORS

A bidder that is awarded a contract for a construction, renovation, or repair services project that utilizes subcontractors shall make an effort to subcontract with resident businesses of the Commonwealth. Bidders that utilize s subcontractors based outside of Kentucky shall submit documentation of their efforts to solicit pricing from subcontractors based in the Commonwealth.

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchase must follow applicable federal regulations.³

BACKGROUND CHECKS

The Superintendent may require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check, defined in [KRS 160.380](#) as “a letter from the Cabinet for Health & Family Services indicating that there are no substantiated findings of child abuse or neglect relating to a specific individual.”⁶

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

OPEN RECORDS

All information submitted by a bidder or a subcontractor pursuant to a bid specification are public records subject to review pursuant to the Open Records Act as set forth in KRS 61.870 to KRS 61.884.

REFERENCES:

¹Includes the State Bid List

²[KRS 160.303](#); [200 KAR 005:400](#); [KRS 45A.494](#)

³2 C.F.R. 200.318

⁴[KRS 45A.385](#);

⁵[KRS 160.370](#)

⁶[KRS 160.380](#)

[KRS 156.076](#); [KRS 160.290](#)

[KRS 45A.070](#); [KRS 45A.343](#); [KRS 45A.345](#); [KRS 45A.352](#); [KRS 45A.360](#); [KRS 45A.370](#)

[KRS 45A.380](#); [KRS 45A.420](#); [KRS 45A.445](#); [KRS 45A.455](#)

[KRS 45A.460](#); [KRS 45A.620](#)

[KRS 65.027](#); [KRS 160.151](#); [KRS 162.070](#); [KRS 164A.575](#); [KRS 176.080](#)

[OAG 79-501](#); [OAG 82-170](#); [OAG 82-407](#)

(CONTINUED)

Model Procurement Code Purchasing

Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.1; 06.4; 07.13

Adopted/Amended: 8/6/2019

Order #: 2019-840