

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

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

Date: August 2021

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To review and discuss current Kentucky Department of Education (KDE) employment data.

APPLICABLE STATUTE OR REGULATION:

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

BACKGROUND:

Existing Policy:

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

The KDE has a long-standing history of being in compliance with and usually surpassing the minority employment goal. On October 16, 2012, the number of KDE staff more than doubled with the addition of the Office of Career and Technical Education and Student Transition. Due to factors such as geographic location, KDE's inability to compete with salaries offered in the private sector, demographics and inability of applicants to meet minimum education and experience requirements for the particular job classifications, recruitment of minority staffing at the 51 Area Technology Centers is difficult. The department has implemented its hiring policies and procedures for the Office of Career and Technical Education in an attempt to improve minority recruitment and hiring. These include minority representation on all interview panels and interviewing a minimum of two minority candidates if identified and qualified. The KDE continuously seeks opportunities to increase minority awareness and recruitment.

Summary of Issue:

Current employment data is found below:

I. The KDE (excluding the Office of Career and Technical Education) as of the close of business on April 30, 2021, employed 511 full-time employees, totaling 440 non-minority employees (86.1%) and 71 minority employees (13.9%).

- The department's Frankfort-based, full-time workforce of 345 employees includes 293 non-minority employees (84.9%) and 52 minority employees (15.1%).

During the six-month period from November 1, 2020 – April 30, 2021 there were:

- 39 appointments
- 29 separations from employment
 - 17 separations from support positions
 - 9 separations from professional positions
 - 3 separations from leadership positions

During the six-month period from November 1, 2020 – April 30, 2021 there were:

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

II. The Office of Career and Technical Education (OCTE), as of the close of business on April 30, 2021 employed 574 full-time employees, totaling 564 non-minority employees (98.3%) and 10 minority employees (1.7%).

During the six-month period from November 1, 2020 – April 30, 2021 there were:

- 9 appointments
- 5 separations from employment
 - 1 separation from support positions
 - 3 separations from professional positions
 - 0 separations from leadership positions

During the six-month period from November 1, 2020 – April 30, 2021 there were:

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

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

- All KDE 18A merit positions, which require a merit register, are posted on the Personnel Cabinet and KDE websites for 10 days.
- OCTE 156 positions (non-merit) are posted on the Personnel Cabinet, KEPS and KDE websites for 10 days, or until filled.
- KSB and KSD 161 positions (non-merit) are posted on the KDE and KEPS websites until filled.
- KDE's internal policy requires an interview panel of a minimum of three (3) people, one (1) of whom must be a minority, and a minimum of four (4) candidates must be interviewed, two (2) of whom must be a minority, if qualified and identified.
- KDE's hiring process is subject to and in compliance with Personnel Memo 08-18 that requires the employing agency to offer the opportunity to interview to a minimum of five (5) identified veterans listed on the certified register list. If there are fewer than five (5) identified veterans, then the employing agency shall offer an opportunity to interview to all identified veteran applicants.
- Per Personnel Memo 12-33, the Personnel Cabinet seeks voluntary information from all applicants regarding an applicant's race, gender, or national origin. This information is maintained separately from the official application and assists the Commonwealth of Kentucky in achieving its affirmative action goals. This information is useful in creating a diverse applicant pool for consideration in the hiring process; however, this data is not intended to be used as the determining factor in the hiring decision. This is to ensure compliance with the Equal Employment Opportunity Commission (EEOC).

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

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

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

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

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

Recruitment Efforts:

KDE has processes in place to require minority participants on the interview panels for hiring of staff. KDE utilizes the MyPurpose system, Kentucky Educator Placement Service (KEPS) and the KDE website to post jobs and recruit applicants. KDE also uses the Personnel Cabinet home page “spotlight” feature for difficult to fill positions. State employees also have access to the LinkedIn app. In collaboration with the Personnel Cabinet and Workforce Development Cabinet, KDE has the ability to also post difficult to fill positions via LinkedIn. The Kentucky School for the Deaf uses the ASL linked YouTube video as a tool to recruit deaf teachers, administrators and classified positions. This link is added to all KSD job postings and allows potential applicants, who are deaf or hard of hearing, to watch a YouTube video of someone using American Sign Language (ASL) to explain the details and requirements of the KSD job posting. Anitra Williams, Human Resource Administrator within the Division of Resource Management, attended the International Public Management Association for Human Resources (IPMA-HR) Southern Region Virtual Training Conference held April 27-29, 2021. KDE continues to offer telecommuting options to stay competitive with other agencies in order to increase our recruitment capabilities.

Budget Impact: Employment of personnel directly impacts KDE’s budget in terms of expenditure of general funds as well as defined contributions. Employment figures are considered in the creation of KBE’s proposed budget that is submitted to the Governor for inclusion in the 2022-2024 Executive Branch Budget Request. During the 2022 Legislative Session, the Kentucky General Assembly will enact a budget that will establish KDE funding for the next biennium.

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Commissioner of Education

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