



Kenton County School District | *It's about ALL kids.*

**THE KENTON COUNTY BOARD OF
EDUCATION**

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Dr. Henry Webb, Superintendent of Schools

KCSD ISSUE PAPER

DATE:

12/18/2018

AGENDA ITEM (ACTION ITEM):

Consider/Approve Receive revisions to Policies 03.123 and 03.223 – “Leaves and Absences” as a first reading.

APPLICABLE BOARD POLICY:

01.5 – School Board Policies

HISTORY/BACKGROUND:

In an effort to standardize the process of employees requesting a leave of absence, as well as align the language of the certified and classified policies, the District proposes revisions to policies 03.123 and 03.223. These revisions specify the appropriate form to be completed by an employee when requesting a leave of absence, clarifies the process of an employee returning to work from a leave of absence and clarifies the process in which the Superintendent may consider an employee's leave request once all paid leave options have been exhausted.

FISCAL/BUDGETARY IMPACT:

No fiscal/budgetary impact

RECOMMENDATION:

This is a first reading of the proposed revisions to Policies 03.123 and 03.223 – “Leaves and Absences” and will not receive a vote at this time.

CONTACT PERSON:

Matt Rigg, Executive Director of Human Resources

Principal



District Administrator



Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.

Principal –complete, print, sign and send to your Director. Director –if approved, sign and put in the Superintendent's mailbox.

Kenton County Board of Education

Board Members: Carl Wicklund, Chairperson Karen L. Collins, Vice Chairperson Joshua Crabtree, Esq. Carla Egan Jessica Jehn
“The Kenton County Board of Education provides *Equal Education & Employment Opportunities.*”

- CERTIFIED PERSONNEL -**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.

Leave taken without proper authorization shall result in a reduction in pay for the employee affected.

An employee must complete Procedure 03.123 AP.2 – "Leave of Absence Request" form when requesting a Leave of Absence other than sick, personal and/or emergency leave.

NOTIFICATION OF RETURN

Employees on leave covered by the related long term 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 and Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.~~

PLACEMENT UPON RETURN

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school location cannot be guaranteed.

VACANCIES AND REPLACEMENTS

Individuals employed or assigned to fill vacancies created by long term leaves shall be informed of the possibility before assuming the position that, upon return of the individual from leave, ~~employment may not continue they may not be rehired~~ or they may be reassigned to a comparable position.

LEGAL PROCEEDINGS

The Superintendent shall grant release time to employees who are summoned to appear in legal proceedings in keeping with the provisions of the contractual agreement with the local education association.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under terms and conditions set forth in [KRS 161.155](#).

Leaves and Absences**LEAVE REQUESTS**

The Superintendent may grant leave without pay provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. **Requests shall be made in writing and shall be submitted to the Superintendent for approval. A written request must be submitted to the Superintendent at least twenty (20) working days in advance of the intended dates of such leave. An unpaid leave request will not be considered, or granted, unless all available, and applicable, paid leave has been exhausted.**

FMLA

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

REFERENCES:

[KRS 161.155](#); [KRS 161.770](#)

[OAG 01-9](#); Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124

Adopted/Amended: 8/1/2011

Order #: 4

- CLASSIFIED PERSONNEL -**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.

Leave taken without proper authorization shall result in a reduction in pay for the employee affected.

An employee must complete Procedure 03.123 AP.2 – "Leave of Absence Request" form when requesting a Leave of Absence other than sick, personal and/or emergency leave.

NOTIFICATION OF RETURN

Employees on leave covered by the related long term 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; and the Superintendent is authorized to fill the position for the following school year.

PLACEMENT UPON RETURN

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same location cannot be guaranteed.

VACANCIES AND REPLACEMENTS

Individuals employed or assigned to fill vacancies created by long term leaves shall be informed of the possibility before assuming the position that, upon return of the individual from leave, their employment may not continue or they may be reassigned to a comparable position.

LEGAL PROCEEDINGS

The Superintendent shall grant release time to employees who are summoned to appear in legal proceedings arising from their course of employment. If a person is found guilty of an illegal act against the Board, the absences shall be without pay.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under the terms and conditions set forth in [KRS 161.155](#).

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The Superintendent may grant leave without pay provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. Requests shall be made in writing and shall be submitted to the Superintendent for approval in advance of the intended dates of such leave. An unpaid leave request will not be considered, or granted, unless all available, and applicable, paid leave has been exhausted.

Leaves and Absences

FMLA

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

REFERENCES:

[KRS 161.155](#); Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

Adopted/Amended: 8/6/2018
Order #: 2018-17