

Policies for Review  
Staff/Board Recommendation  
Board Policy Committee Meeting  
November 20, 2021

**Board Meetings**

Change	01.421	Public Participation in Open Meetings
Change	01.45	Board Meeting Agenda

**Human Resources**

Change	03.11	Hiring (Certified)
Change	03.21	Hiring (Classified)

### **Public Participation in Open Meetings**

The Board shall conduct its meetings in a manner which engenders public confidence and provides for full discussion of the issues and for the input and exchange of ideas in a reasonable manner to the end that appropriate decisions will be reached.

#### **PUBLIC ATTENDANCE**

The Board shall comply with the Kentucky Revised Statutes in the conduct of its meetings. All regular and special Board meetings shall be open to the public and the news media. The public shall be given notice of the time and place of Board meetings via the news media. No person may be required to identify himself or herself in order to attend any such meeting.<sup>1</sup>

#### **EXCEPTION**

The Chairperson shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such presentation. The Board, as a whole, shall have the final decision in determining the appropriateness of all such rulings. The Chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.<sup>1</sup>

#### **PUBLIC PARTICIPATION/~~COMMENTS~~~~SPEAKERS~~**

~~Members of the public shall be given the opportunity to share~~ ~~may be given time to voice opinions or express concerns~~ ~~at every Board meeting, either through comments addressed to the Board during a meeting or through written comments shared with Board members and the public.~~ Recognizing its responsibility to conduct the business of the District in an orderly and efficient manner, the Board shall require reasonable controls for public presentations to the Board. ~~If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823, remove the agenda item permitting persons to address the Board.~~

Persons wishing to address the Board must first be recognized by the Chairperson. ~~The Chairperson may require the name and address of the speaker to be provided.~~

~~Members of the public may be given time to voice opinions or express concerns. The Chairperson may require the name and address of the speaker to be provided.~~

Public viewpoint shall be recorded in the minutes if the speaker provides the Board secretary with a copy of his or her remarks.

1. Any person wishing to present a matter to the Board shall register with the secretary of the Board at least fifteen (15) minutes prior to the start of the meeting. The speaker's name, contact information, and subject of the presentation shall be stated at that time.
2. Any materials presented to the Board shall be forwarded prior to or following all Board meetings to the Assistant Secretary to the Board for dissemination purposes.
3. Speakers shall be limited to a maximum of three (3) minutes each and may not share these minutes with any other speaker; however, a person with a medically recognized

**Public Participation in Open Meetings****PUBLIC PARTICIPATION/SPEAKERS (CONTINUED)**

disability who is entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) shall be given an additional minute to speak. The ~~Chair~~ **Board** shall reserve the right to limit, extend or terminate discussion on any subject.

4. Discussion of personnel matters is not permitted, as the Board has no legal authority regarding such matters, and such discussion is not appropriate. If a person begins to discuss a personnel matter, the Chair shall immediately terminate the speaker's remarks.
5. At a public Board meeting, no person may orally initiate charges or complaints against an individual District employee. Discussion of a District employee by name or position is not permitted, in order to ensure confidentiality and fairness for the employee. If a person discusses a District employee by name or position in their remarks to the Board, the Chair shall immediately terminate the speaker's remarks.
6. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed. Defamatory or abusive remarks are always out of order. The Chairperson may terminate the speaker's participation if, after being called to order, the speaker persists in improper conduct or remarks.
7. Speakers before the entire Board are not allowed to use props, displays, or any other objects during their presentations. However, informational handouts may be given to the Assistant Secretary to the Board and distributed in accordance with Board Policy.
8. Persons within the audience are allowed to have signs in the Board chambers that are no larger than 8 ½ x 11 inches. However, such signs may not be attached to any sort of stick and must be displayed in a manner that does not inhibit others from viewing the Board meeting.
9. Speakers may not engage in electioneering or the endorsement of any commercial product or service.

**NEWS MEDIA REPRESENTATIVES**

All news media representatives will be encouraged to attend Board meetings. Prior to each meeting, the Superintendent shall notify the media as to the major business to be conducted and the time and place of the meeting. News media coverage, including but not limited to recording and broadcasting, shall be permitted and encouraged at all regular and special Board meetings. In accordance with Kentucky open meetings laws, news media shall not be permitted to attend executive sessions of the board. The Board, through the Superintendent/designee, shall make available meeting announcements and reports to keep the public informed as to the plans and activities of the school system.

**REFERENCE:**

<sup>1</sup>[KRS 61.840](#)

**Public Participation in Open Meetings**

**RELATED POLICIES:**

01.45; 10.2

Adopted/Amended: 1/5/2021

Order #: 2021-7

**Board Meeting Agenda****AGENDA PREPARATION AND DISSEMINATION**

The Superintendent shall consult with the Board Chairperson to ensure that an agenda is prepared for all regular and special meetings of the Board. For special meetings, the Board shall consider only those matters that are listed on the agenda.

There are two types of regular meetings of the Board:

1. Board Business Meetings; and
2. Board Work Session Meetings.

The Board Business Meeting format includes agenda items necessary for the Board to conduct the regular business of the District, including action items, information items, and a consent calendar. The Board Work Session Meeting format is designed to permit the Board to receive information and have in-depth discussions regarding key issues confronting the District, to better inform subsequent decisions and actions, and also includes a consent calendar for items necessary for the Board to conduct the regular business of the District.

Board members may review and offer suggestions for future Board meeting agendas during the Board Planning Calendar portion of regular Board Business meetings. Board members may also suggest topics for inclusion via e-mail to the Board Chairperson, with copy to the Superintendent. Board input is considered and coordinated as the Superintendent and Board leadership develop subsequent Board Planning Calendars and Board Meeting Agendas. In some instances, the Board Chairperson and Superintendent may determine that a requested topic is best addressed through a written report to Board members rather than through inclusion on the Board Meeting Agenda.

Agenda Items and related presentations and supporting or background material shall be provided to the Board members on or before the Tuesday seven (7) days preceding the regular meeting except if significant extenuating circumstances preclude it. Any Item added to the Agenda after that date shall note the necessity for immediate action in the rationale for that Item.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested in writing by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least four (4) members. However, once the agenda for a special called meeting is posted and delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. The agenda may include a student presentation, performance, or other demonstration of student learning.
2. The Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.

**Board Meeting Agenda****AGENDA PREPARATION AND DISSEMINATION (CONTINUED)**

3. The Board shall receive communications from citizens and schools/councils.
4. Each meeting shall contain opportunities for dialogue among Board members and Superintendent concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
5. Each Board Business meeting shall contain an opportunity for Board members to report on noteworthy events pertaining to the work of schools and the District. Reports are expected to be brief, and other opportunities for sharing information with fellow Board members and the public will be made available to Board members for more extensive communications.
6. The agenda for Board Business meetings shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
7. To the extent practicable, standard and/or recurring business shall be organized under the Consent Calendar.

**BOARD BUSINESS MEETING AGENDA FORMAT**

- I. Moment of Silence
- II. Pledge of Allegiance
- III. Recognitions and Resolutions
- IV. Approval of Meeting Agenda
- V. Minutes
- VI. Superintendent's Report
- VII. Persons Requesting to Address the Board
- VIII. Action Items
- IX. Information Items
- X. Consent Calendar
- XI. Board Planning Calendar
- XII. Committee Reports
- XIII. Board Reports
- ~~XIV. Persons Requesting to Address the Board (if necessary)~~
- ~~XV. XIV.~~ Executive Session (if necessary)
- ~~XVI. XV.~~ Action Item (if necessary)
- ~~XVII. XVI.~~ Adjournment

**Board Meeting Agenda****BOARD BUSINESS MEETING AGENDA FORMAT (CONTINUED)**

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

Members of the public shall be given the opportunity to share opinions or express concerns at every Board Business meeting, either through comments addressed to the Board under Agenda Item VII or through written comments shared with Board members and the public. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823, remove Agenda Item VII permitting persons to address the Board.

**PERSONS ADDRESSING THE BOARD AT A BOARD BUSINESS MEETING**

The following shall apply regarding persons addressing the Board at a Board Business Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. A maximum of forty-five (45) minutes shall be allocated for Agenda Item VII. ~~Speakers who are unable to be accommodated under Agenda Item VII. due to the time limitation may address the Board under Agenda Item XIV.~~

**BOARD WORK SESSION MEETING AGENDA FORMAT**

- I. Approval of Meeting Agenda
- II. Minutes
- III. Work Sessions
- IV. Persons Requesting to Address the Board
- V. Consent Calendar
- ~~VI. Persons Requesting to Address the Board (if necessary)~~
- ~~VII.~~ VI. Adjournment

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

Members of the public shall be given the opportunity to share opinions or express concerns at every Board Work Session meeting, either through comments addressed to the Board under Agenda Item IV or through written comments shared with Board members and the public. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823, remove the Agenda Item IV permitting persons to address the Board.

**Board Meeting Agenda****PERSONS ADDRESSING THE BOARD AT A BOARD WORK SESSION MEETING**

The following shall apply regarding persons addressing the Board at a Board Work Session Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. A maximum of forty-five (45) minutes shall be allocated for Agenda Item IV. ~~Speakers who are unable to be accommodated under Agenda Item IV, due to the time limitation may address the Board under Agenda Item VI.~~

**CONSENT CALENDAR ITEMS**

Routine matters and recommendations of the Superintendent that the Board has had an opportunity to review and about which no opposition is expected will be voted on as a single item in a Consent Calendar. Any Board member may request an agenda item to be removed from the Consent Calendar for consideration as a separate item. To assist in the conduct of orderly and effective Board meetings, the Board member should make every effort to submit the request prior to the meeting via e-mail to the Board Chairperson, copying the Superintendent.

Depending on the reason for the request and whether Board action is time-sensitive, the Board Chairperson may:

1. Remove the item from the agenda entirely, and add it to the agenda of the next regularly scheduled Board meeting as an Action Item; or
2. Remove the item from the Consent Calendar so the Board may consider it as a separate item during the current Board meeting.

**BOARD MEMBER REQUESTS FOR INFORMATION REGARDING AGENDA ITEMS**

To assist in the conduct of orderly and effective Board meetings, to the degree possible, questions by Board members regarding Board agenda items and clarification of recommendations to the Board should be dealt with prior to the meeting. Board members should submit requests for information regarding Board agenda items to the Superintendent as early as possible to allow the Superintendent and staff adequate time to prepare a response prior to the Board meeting.

**DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC**

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employees' concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policies and procedures.



**Board Meeting Agenda**

**REFERENCE:**

[KRS 160.290](#)

**RELATED POLICIES:**

01.421  
01.44  
01.5  
03.16/03.26

Adopted/Amended: 1/5/2021  
Order #: 2021-7

**- CERTIFIED PERSONNEL -****Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following such actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

The Superintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education fifteen (15) days before the position is to be filled.

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the fifteen (15)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

**EFFECTIVE DATE**

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 preceding the beginning of the next school year.

**QUALIFICATIONS**

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy. In all cases, the most qualified candidate shall be hired.

Hiring of certified personnel who have previously retired under TRS shall be in compliance with applicable legal requirements.<sup>2</sup>

**PRE-EMPLOYMENT INQUIRIES**

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations, where applicable. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be confidential to the extent permitted by law, but shall be considered in determining employment status.

**CRIMINAL BACKGROUND CHECK AND TESTING**

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1</sup>

## **Hiring**

### **CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

Each application form provided by the employer to an applicant 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 ADMINISTRATIVE FINDINGS OF 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, a conviction as a violent offender as defined in KRS 17.165, or other conviction, including a drug offense, determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall terminate on receipt of a criminal history background check documenting a conviction for an offense listed above, unless the offense is a misdemeanor drug offense over five (5) years ago or a non-support felony offense. Employees shall immediately notify their supervisor if they are arrested for or charged with one of the offenses listed above. The supervisor shall immediately notify employee relations.

Employment shall also be contingent on receipt of 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." Employment shall terminate upon receipt of a letter from the Cabinet documenting an administrative finding of child abuse or neglect.

"Administrative finding of child abuse or neglect" means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.<sup>1</sup>

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>

### **REPORT TO 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

## **Hiring**

### **REPORT TO SUPERINTENDENT (CONTINUED)**

the right to appeal such a substantiated finding or the finding has been upheld upon appeal. Any failure to report this finding shall result in the employee being subject to dismissal or termination.

### **VACANCIES POSTED**

A job register listing vacancies to be filled shall be posted on the District's website.

Vacancies may also be posted and advertised outside the District. All central office administrative positions and all principal positions shall be advertised nationally.

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed. Applications for candidates not employed shall be retained for three (3) years.

References are required on applicants for all positions and will be carefully reviewed as part of the employment decision.

### **RELATIONSHIPS**

All applications shall require a response concerning the relationship as defined in [KRS 160.180](#) and KRS 160.380 of each applicant to the Superintendent, any Principal of the District, any other District employees, or a Board member. The hiring of relatives of the Superintendent, Board members and principals of the District is subject to the restrictions provided in KRS 160.180 and KRS 160.380.

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

A relative of the Superintendent or any Principal of the District shall not be employed except as provided by [KRS 160.380](#).

A relative of the Superintendent or any principal of the District who is otherwise ineligible for employment may be employed as a substitute for a certified or classified employee if the relative is not:

- A regular full-time or part-time employee of the District;
- Accruing continuing contract status or any other right to continuous employment;
- Receiving fringe benefits other than those provided other substitutes; or
- Receiving preference in employment or assignment over other substitutes.

No employee may use his/her employment status to influence the employment in the District of a relative which is defined for the purposes of this paragraph of this policy as the employee's father, mother, brother, sister, husband, wife, son, and daughter.

## **Hiring**

### **RELATIONSHIPS (CONTINUED)**

No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of such employee to be a supervisor of such employee.

For purposes of this paragraph of this policy, a relative is defined as the employee's father, mother, brother, sister, husband, wife, son, and daughter; and a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. For purposes of this paragraph of this policy, the Principal and each assistant principal of a school shall be considered to be the supervisor of each employee in the school building. This paragraph of this policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this paragraph of this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this paragraph of this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this paragraph of this policy.

A relative that is ineligible for employment under this may be employed as a substitute for a certified or classified employee if the relative is not:

1. A regular full-time or part-time employee of the district;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or
4. Receiving preference in employment or assignment over other substitutes.

Exception to the above is substitute personnel.

### **CONTRACT**

Except for substitute teachers, all certified personnel shall enter into written contracts with the District.

### **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.

### **REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT**

Each year all full-time and part-time certified employees shall be notified in writing by the last day of the school year whether they have reasonable assurance of continued employment for the following school year.

## **Hiring**

### **REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT (CONTINUED)**

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

### **EMPLOYEES SEEKING A 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.

### **JOB SHARING**

District employees may be permitted to participate in a job sharing program in accordance with procedures established by the Superintendent. However, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job sharing program.

### **EXCHANGE OF TEACHERS**

The Superintendent may approve the exchange of teachers with other countries, states, and programs outside the District. All arrangements for such exchanges shall adhere to state laws and regulations.

### **REFERENCES:**

<sup>1</sup>[KRS 160.380](#)

<sup>2</sup>[KRS 161.605](#); [702 KAR 001:150](#)

<sup>3</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)

45 C.F.R. § 1302.90

KRS Chapter 13B

[KRS 17.160](#); [KRS 17.165](#); [KRS 156.106](#); [KRS 160.345](#); [KRS 160.390](#)

[KRS 161.042](#); [KRS 161.611](#); [KRS 161.750](#); [KRS 335B.020](#); [KRS 405.435](#)

[016 KAR 009:080](#); [702 KAR 003:320](#); [704 KAR 007:130](#)

[OAG 18-017](#); [OAG 73-333](#); [OAG 91-10](#); [OAG 91-149](#); [OAG 91-206](#)

[OAG 92-1](#); [OAG 92-59](#); [OAG 92-78](#); [OAG 92-131](#); [OAG 97-6](#)

Records Retention Schedule, Public School District

### **RELATED POLICIES:**

01.11; 02.4244; 03.132

Adopted/Amended: 2/2/2021

Order #: 2021-28

**- CLASSIFIED PERSONNEL -****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 such actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

The Superintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

**EFFECTIVE DATE**

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

**PRE-EMPLOYMENT INQUIRIES**

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be confidential to the extent permitted by law, but shall be considered in determining employment status.

**CRIMINAL BACKGROUND CHECK AND TESTING**

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1&2</sup> Bus drivers and applicants requiring a Commercial Driver's License (CDL) must undergo additional background and substance use checks per Board Policy 06.221.

Each application form provided by the employer to an applicant for a classified 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 ADMINISTRATIVE FINDINGS OF 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, a conviction as a violent offender as defined in [KRS 17.165](#), or other conviction, including a drug offense, determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall terminate on receipt of a criminal history background check documenting a conviction for an offense listed above, unless the offense is a misdemeanor drug offense over five (5) years ago or

## **Hiring**

### **CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

a non-support felony offense. Employees shall immediately notify their supervisor if they are arrested for or charged with one of the offenses listed above. The supervisor shall immediately notify employee relations.

Employment shall also be contingent on receipt of 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 administrative findings of child abuse or neglect relating to a specific individual.” Employment shall terminate upon receipt of a letter from the Cabinet documenting an administrative finding of child abuse or neglect.

“Administrative finding of child abuse or neglect” means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.<sup>1</sup>

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/3013RequestfromthePublicforCANCChecksandCentralRegistryChecks.aspx>

### **REPORT TO 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. Any failure to report this finding shall result in the employee being subject to dismissal or termination.

### **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 GED certificate 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>

All paraprofessionals shall satisfy educational requirements specified by federal law.<sup>4</sup>

### **VACANCIES POSTED**

A job register listing vacancies to be filled shall be posted on the District’s website.

Vacancies may also be posted and advertised outside the District.



## **Hiring**

### **REVIEW OF APPLICATIONS (CONTINUED)**

The Superintendent shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed. Applications for candidates not employed shall be retained for three (3) years.

References shall be required on applicants for all positions and will be carefully reviewed as part of the employment decision.

### **RELATIONSHIPS**

All applications shall require a response concerning the relationship as defined in [KRS 160.180](#) and [KRS 160.380](#) of each applicant to the Superintendent, other District employees or a Board member. The hiring of relatives of the Superintendent, Board members and principals of the District is subject to the restrictions provided in [KRS 160.180](#) and [KRS 160.380](#).

A relative of the Superintendent shall not be employed except as provided by [KRS 160.380](#).<sup>1</sup>

The Superintendent shall not employ a relative of a Board member. No employee may use his/her employment status to influence the employment in the Jefferson County School District of a relative which is defined for the purposes of this paragraph of this policy as the employee's father, mother, brother, sister, husband, wife, son, and daughter.

No employee shall be assigned to a school, office, or unit if the assignment would cause a relative of such an employee to be a supervisor of such employee. For purposes of this paragraph of this policy, a relative is defined as the employee's father, mother, brother, sister, husband, wife, son, and daughter; and a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline or termination of an employee. This paragraph of this policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Department as soon as an assignment or employment status covered by this paragraph of this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent shall develop procedures to implement this paragraph of this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this paragraph of this policy.

A relative that is ineligible for employment under this may be employed as a substitute for a classified employee if the relative is not:

1. A regular full-time or part-time employee of the district;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or

**Hiring****RELATIONSHIPS (CONTINUED)****4. Receiving preference in employment or assignment over other substitutes.****EMERGENCY HIRING**

The Superintendent shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.

**JOB DESCRIPTION**

All employees shall receive a copy of their job description and responsibilities.

**CONTRACT**

The District shall enter into written contracts with all full-time and part-time classified staff.

**JOB SHARING**

District employees may be permitted to participate in a job sharing program in accordance with procedures established by the Superintendent. However, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job sharing program.

**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT**

Each year, all full-time and part-time classified employees, including substitutes, shall be notified in writing by the last day of the school year whether they have reasonable assurance of continued employment for the following school year.

Classified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

**EMPLOYEES SEEKING A 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.

**REFERENCES:**

<sup>1</sup>[KRS 160.380](#)

<sup>2</sup>[702 KAR 005:080](#)

<sup>3</sup>[KRS 161.011](#)

<sup>4</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)

34 C.F.R. § 200.58; 45 C.F.R. § 1302.90

49 C.F.R. § 382.701; 49 C.F.R. § 382.703

**Hiring**

**REFERENCES (CONTINUED)**

KRS Chapter 13B  
[KRS 17.160](#), [KRS 17.165](#); [KRS 156.070](#)  
[KRS 160.345](#); [KRS 160.390](#); [KRS 335B.020](#); [KRS 405.435](#)  
[OAG 18-017](#); [OAG 91-10](#); [OAG 91-149](#); [OAG 91-206](#)  
[OAG 92-1](#); [OAG 92-59](#); [OAG 92-78](#); [OAG 92-131](#); [OAG 97-6](#)  
Kentucky Local District Classification Plan; [013 KAR 003:030](#); [702 KAR 003:320](#)  
Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

Adopted/Amended: 2/2/2021

Order #: 2021-28

# Policy Review Cycle Set #7

## Board Policy Committee Meeting

### November 20, 2021

#### **Communications**

Change	10.1	Public Information Program
No Change	10.12	Public Statements

#### **Academics**

Change	10.31	Parent/Family Involvement
--------	-------	---------------------------

#### **Human Resources**

##### Leave

No Change	03.1236	Emergency Leave (Certified)
No Change	03.2236	Emergency Leave (Classified)
No Change	03.1237	Court Appearances- Jury Leave (Certified)
No Change	03.2237	Court Appearances- Jury Leave (Classified)
Change	03.1238	Military-Disaster Service Leave (Certified)
Change	03.2238	Military-Disaster Service leave (Classified)
No Change	03.1239	Leave for Political Activities (Certified)
No Change	03.2239	Leave for Political Activities (Classified)

##### Standards and Discipline

Change	03.1322	Gifts (Certified)
Change	03.2322	Gifts (Classified)
No Change	03.1324	Political Activities (Certified)
No Change	03.2324	Political Activities (Classified)
Change	03.1235	Disrupting the Educational Process (Certified)
Change	03.2235	Disrupting the Educational Process (Classified)

#### **Schools**

No Change	08.1354	Voter Registration and Participation
Change	09.41	Pregnant Students

**Public Information Program**

It is the goal of the Board to create and maintain schools that reflect the community's and serve its needs; to provide channels of open communications between the school system and the citizens residing in the District; to keep the community informed of the activities and progress of the school system; and to involve the community in decision-making processes at all levels. Accurate information will be furnished to the public on a timely basis.

**RIGHT TO BE INFORMED**

The Board recognizes the rights of the public to be fully and accurately informed about its schools. The Board shall, through the Superintendent and the Superintendent's designees:

1. Communicate regularly with the public through available media such as the District web sites, social media, text messages, newsletters, bulletins, newspapers, and radio and television releases;
2. Work cooperatively with the news media in their efforts to inform the public; and
3. Conduct Board business in an atmosphere that lets the public know that their attendance at Board meetings is welcome and appreciated.

**RELEASE OF INFORMATION**

Public statements concerning controversial or potentially disruptive matters shall be issued only by the Superintendent or the Superintendent's designee.

**REFERENCES:**

KRS 61.805  
KRS 61.850

**RELATED POLICIES:**

01.4  
01.44

Adopted/Amended: 7/8/2013  
Order #: 2013-124

**Public Statements**

The Superintendent is authorized to establish programs which will assist the District in developing effective communications both internally with staff and externally with the community, state, and nation. This will include open and impartial relations with all news media.

As executive agent of the Board, the Superintendent is authorized to release through all available media, information relating to the plans, programs, and operations of the District, and is authorized to conduct news conferences and interviews as the need arises.

**RELATED POLICY:**

01.421

Adopted/Amended: 7/8/2013  
Order #: 2013-124

### **Parent/Family Involvement**

The Board believes that families are children's first teachers and that together we have a shared obligation to educate our District's students to meet high academic expectations.

Our goal is for all family members who are involved in children's lives to share the school's commitment to the educational success of their children. The District, in collaboration with family members, is committed to establishing and developing programs and practices that respond to the specific needs of students and families, and that enhance meaningful family involvement (for example, [Parent Teacher Association \[PTA\]](#), school-based decision making [\[SBDM\]](#), preschool, elementary, middle and high school programs, Family Resource and Youth Services Centers).

To this end, the Board ~~supports~~~~is supporting~~ the development and implementation of parent involvement programs. These parent involvement programs ~~strive to be~~ comprehensive and coordinated in nature. They ~~include~~~~reflect~~, but are not limited to, the following ~~strategies~~~~characteristics~~:

~~The District will:~~

- Support parents\* and families as advocates for lifelong learning and as full partners in decision making for school issues and programs;
- Strongly encourage parents to have meaningful roles and participation in their ~~SBDM council~~~~School-Based Decision-Making Council~~ and SBDM committees;
- Promote clear, two-way communications between schools and families ~~regarding~~~~about~~ school programs, ~~and~~ students' progress, ~~and students' academic, social-emotional, and health needs~~;
- Encourage parents to attend parent/teacher conferences;
- Assist parents and families in ~~accessing resources and~~ acquiring techniques to support their children's learning;
- Wherever appropriate, involve parents and family members in a variety of instructional and support roles both within and outside the school;
- Enlist parents' and families' involvement to play an integral role in assisting student ~~learning and success~~~~achievement~~;
- Provide access to and coordinate community and support services for children and families;
- Create welcoming atmospheres for parents and families;
- Identify and reduce barriers to parent/family involvement;
- Provide professional development for teachers, administrators, and staff on ways to work effectively with parents and families;
- Post this policy on the District website and include this policy in handbooks developed by schools for parents.

**Parent/Family Involvement**

\*“Parent” or “Parents” may be interpreted broadly to include grandparents, aunts, uncles, step-parents, guardians or other adults who carry the primary responsibility for a child’s education, development and well-being.

**RELATED POLICY:**

08.13451

Adopted/Amended: 7/8/2013

Order #: 2013-124



**-CERTIFIED PERSONNEL-****Emergency Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to emergency leave, not to exceed two (2) days of leave with pay each school year, pursuant to procedures established by the Superintendent.

Part-time, initial probationary, temporary, seasonal, and substitute employees are not eligible for emergency leave.

**REASONS FOR LEAVE**

Reasons for granting emergency leave may include the following:

1. Death or funeral of a relative by blood or marriage.
2. Emergency situations resulting from natural disasters, such as flood, tornado, or primary dwelling fire. This applies only in cases not covered by sick leave.
3. Such other reasons of an emergency or extraordinary nature as approved by the Superintendent/designee.

**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.

**REFERENCES:**

[KRS 161.152](#), [KRS 161.155](#)  
[OAG 76-427](#), [OAG 72-348](#)

**RELATED POLICIES:**

03.1232, 03.1237

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

**- CLASSIFIED PERSONNEL -****Emergency Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to emergency leave, not to exceed two (2) days of leave with pay each school year, pursuant to procedures established by the Superintendent.

Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are excluded from emergency leave.

**REASONS FOR LEAVE**

Reasons for granting emergency leave may include the following:

1. Death or funeral of a relative by blood or marriage.
2. Emergency situations resulting from natural disasters, such as flood, tornado, or primary dwelling fire. This applies only in cases not covered by sick leave.
3. Such other reasons of an emergency or extraordinary nature as approved by the Superintendent/designee.

**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 stating the specific reasons for their absence.

**ACCUMULATION**

Emergency leave days not taken during the school year shall not accumulate.

**REFERENCES:**

[KRS 161.152](#); [KRS 161.155\(3\)](#); [OAG 76-427](#); [OAG 72-348](#)

**RELATED POLICIES:**

03.2232

03.2237

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -****Court Appearances/Jury Leave****COURT APPEARANCES**

Employees of the District who are legally required to appear in court or to be away from regular school duties for school-related legal obligations and who are not covered under any other leave policy shall be granted paid leave when such appearance is properly certified. The District may provide legal counsel to employees in any legal action taken against them in connection with the discharge of their duties when sanctioned by the Superintendent. The employee must, however, promptly deliver the original or copy of a summons, complaint, or other legal paper to the immediate supervisor.

Such leave shall not be granted when the employee is a plaintiff or witness against the Board or its agents, or when the employee is a plaintiff in cases without the sanction of the Superintendent.

**JURY DUTY**

Any employee of the District who serves on a jury shall be granted jury duty leave with regular pay, less any compensation received as jury pay. Any reimbursement for expenses may be retained by the employee.

**NOTICE**

An employee who will be absent from work to serve on jury duty must give advance notice to their immediate supervisor.

**REFERENCES:**

[KRS 161.153](#)

[OAG 78-696](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CLASSIFIED PERSONNEL -****Court Appearances/Jury Leave****COURT APPEARANCES**

Employees of the District who are legally required to appear in court or to be away from regular school duties for school-related legal obligations and who are not covered under any other leave policy shall be granted paid leave when such appearance is properly certified. The District may provide legal counsel to employees in any legal action taken against them in connection with the discharge of their duties when sanctioned by the Superintendent. The employee must, however, promptly deliver the original or copy of a summons, complaint, or other legal paper to the immediate supervisor. Such leave shall not be granted when the employee is a plaintiff or witness against the Board or its agents, or when the employee is a plaintiff in cases without the sanction of the Superintendent.

**JURY DUTY**

Any employee of the District who serves on a jury shall be granted jury duty leave with regular pay, less any compensation received as jury pay. Any reimbursement for expenses may be retained by the employee.

**NOTICE**

Employees who will be absent from work to serve on jury duty must give advance notice to their immediate supervisor.

**REFERENCES:**

[KRS 161.153](#)  
[OAG 78-696](#)

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

**- CERTIFIED PERSONNEL -**

**Military/Disaster Services Leave**

Military leave shall be granted to any employee of the District pursuant to KRS 61.371-61.379 and 61.394.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or the reserve corps of the United States Public Health Service 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. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days (no more than 15 work days). Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

The employee is responsible for notifying ~~his or her~~<sup>his/her</sup> immediate supervisor as soon as ~~thes/he~~<sup>the employee</sup> is notified of an impending military-related absence.<sup>1</sup>

The Board may grant disaster services leave to requesting eligible employees. An “eligible employee” means one who is a certified disaster services volunteer of the American Red Cross. Disaster services leave shall be with pay and shall not exceed thirty (30) work days in any twelve (12)-month period.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 61.373, KRS 61.375, KRS 61.377, KRS 61.394, KRS 61.396

<sup>2</sup>KRS 61.395  
KRS 161.168  
KRS 161.740 (3)  
702 KAR 3:070  
OAG 76-316  
OAG 74-258  
OAG 82-305

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

**-CLASSIFIED PERSONNEL-**

**Military/Disaster Services Leave**

Military leave shall be granted to any employee of the District pursuant to KRS 61.371-61.379 and 61.394.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or the reserve corps of the United States Public Health Service 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. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days (no more than 15 work days). Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

The employee is responsible for notifying ~~his or her~~his/her immediate supervisor as soon as ~~thes/he~~employee is notified of an impending military-related absence.<sup>1</sup>

The Board may grant disaster services leave to requesting eligible employees. An “eligible employee” means one who is a certified disaster services volunteer of the American Red Cross. Disaster services leave shall be with pay and shall not exceed thirty (30) work days in any twelve (12)-month period.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 61.373, KRS 61.375, KRS 61.377, KRS 61.394, KRS 61.396

<sup>2</sup>KRS 61.395

KRS 161.168; KRS 161.740 (3)

702 KAR 3:070

OAG 76-316

OAG 74-258

OAG 82-305 Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -**

**Leave for Political Activities**

Upon the recommendation of the Superintendent, the Board of Education may grant any employee, upon written request, an unpaid leave for the purpose of engaging in political activities.

**REFERENCES:**

[KRS 160.291](#)

[KRS 161.164](#)

[KRS 161.990](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CLASSIFIED PERSONNEL -**

**Leave for Political Activities**

Upon the recommendation of the Superintendent, the Board of Education may grant any employee, upon written request, an unpaid leave for the purpose of engaging in political activities.

**REFERENCES:**

[KRS 160.291](#)

[KRS 161.164](#)

[KRS 161.990](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191



**- CERTIFIED PERSONNEL -**

**Gifts**

No employee of the District shall receive, directly or indirectly, any gift, reward, or promise of reward in exchange for influence in recommending or procuring the use of any goods, services, property, or merchandise of any kind for which District funds are expended. An employee may accept a gift valued at twenty five dollars (\$25.00) or less from a parent-teacher organization or an employee organization in recognition of the employee's service in support of students and the District.

**REFERENCES:**

KRS 160.580

KRS 45A.340

KRS 45A.455

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CLASSIFIED PERSONNEL -**

**Gifts**

No employee of the District shall receive, directly or indirectly, any gift, reward, or promise of reward in exchange for influence in recommending or procuring the use of any goods, services, property, or merchandise of any kind for which school funds are expended. An employee may accept a gift valued at twenty five dollars (\$25.00) or less from a parent-teacher organization or an employee organization in recognition of the employee's service in support of students and the District.

**REFERENCES:**

KRS 160.580

KRS 45A.340

KRS 45A.455

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -**

**Political Activities**

Employees of the District shall not promote, organize or engage in political activities during school/office hours. At no time shall school equipment be used for political purposes by employees. Promoting, organizing 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.

Any employee engaging in political activity during school/office hours shall be subject to disciplinary action, including termination.

"Political positions" shall not be defined to include communications allowed in collective bargaining agreements and those 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 the District's legislative priorities and District facility and financial needs.

Employees shall not be prohibited from renting school property for use at appropriate times for political purposes.

**SCHOOL BOARD ELECTIONS**

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

**REFERENCES:**

KRS 161.164; KRS 161.990  
OAG 72-700; OAG 63-572  
OAG 92-145

**RELATED POLICY:**

03.113

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

**- CLASSIFIED PERSONNEL -**

**Political Activities**

Employees of the District shall not promote, organize or engage in political activities during school/office hours. At no time shall school equipment be used for political purposes by employees. Promoting, organizing 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.

Any employee engaging in political activity during school/office hours shall be subject to disciplinary action, including termination.

"Political positions" shall not be defined to include communications allowed in collective bargaining agreements and those 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 the District's legislative priorities and District facility and financial needs.

Employees shall not be prohibited from renting school property for use at appropriate times for political purposes.

**SCHOOL BOARD ELECTIONS**

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

**REFERENCES:**

KRS 161.164; KRS 161.990  
OAG 72-700; OAG 63-572  
OAG 92-145

**RELATED POLICY:**

03.212

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

**- CERTIFIED PERSONNEL -**

**Disrupting the Educational Process**

Any employee who 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.

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 the 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 COMPLAINTS**

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, [09.13](#), [09.422](#), ~~and/or~~ [03.162](#), ~~and~~ [03.1621](#), which addresses [bullying/hazing](#), harassment/discrimination, ~~and access to equal educational opportunities-allegations~~.

**REFERENCES:**

KRS 160.290  
KRS 161.790

**RELATED POLICIES:**

03.113, 03.162, 03.17, 09.422, 10.21

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

**- CLASSIFIED PERSONNEL -**

**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.

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 COMPLAINTS**

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, [09.13](#), [09.422](#), ~~and/or 03.162~~, [and 03.1621](#), which addresses [bullying/hazing](#), harassment/discrimination, ~~and access to equal educational opportunities-allegations~~.

**REFERENCES:**

KRS 160.290

KRS 161.790

**RELATED POLICIES:**

03.212, 03.262, 03.27, 09.422, 10.21

Adopted/Amended: 11/25/2013

Order #: 2013-191

**Voter Registration and Participation**

The Principal of each high school shall be responsible for informing students and school personnel of the availability of voter registration forms, for assisting them in registering with the party of their choice, and for returning the completed forms to the County Clerk.

Specifically, each high school shall provide twelfth (12th) grade students information on how to:

1. Register to vote;
2. Vote in an election using a ballot; and
3. Vote using an absentee ballot.

This information may be provided through classroom activities, written materials, electronic communication, Internet resources, participation in mock elections, and other methods identified by the Principal after consulting with teachers.

The County Clerk shall provide the Principal with voter registration forms.

**REFERENCES:**

[KRS 116.046](#)

[KRS 158.183](#)

[KRS 158.6450](#)

Adopted/Amended: 1/13/2014

Order #: 2014-004

**Pregnant Students**

Pregnant students shall be permitted the same rights and privileges as other students.<sup>1</sup> The Board shall provide opportunities for the uninterrupted academic progression of pregnant students. A pregnant student may continue ~~pursuit of~~ formal education through an appropriate educational program designed to meet ~~the student's~~ needs.

Pregnant students may not participate in activities which will endanger the student or fetus.

**REFERENCES:**

<sup>1</sup>34 CFR 106.40  
OAG 93-37  
OAG 97-26

Adopted/Amended: 1/27/2014  
Order #: 2014-016



# Policy Review Cycle Set #8

## Board Policy Committee Meeting

### November 20, 2021

#### **Academics**

No Change	08.114	Early Childhood Education
Change	08.12	Instructional Organization
Change	08.1346	Physical Education
Change	08.2322	Review of Instructional Materials
Change	08.233	Library Media Centers
No Change	08.235	Previewing Materials
No Change	08.51	Curriculum Development and Implementation

#### **Exceptional Child Education**

Change	08.131	Students with Disabilities
--------	--------	----------------------------

#### **Human Resources**

Change	03.1	Certified Personnel
Change	03.112	Certification and Records (Certified)
Change	03.115	Transfer of Tenure
Change	03.1161	Coaches and Assistant Coaches (Certified)
Change	03.2141	Nonteaching Coaches and Assistant Coaches (Classified)
Change	03.1311	Transfer (Certified)
Change	03.2311	Transfer (Classified)
Change	03.1312	Promotion (Certified)
Change	03.2312	Promotion (Classified)
Change	03.1313	Demotion (Certified)
Change	03.2313	Demotion (Classified)
Change	03.171	Reduction in Force (Certified)
Change	03.271	Reduction in Force (Classified)
Change	03.174	Reinstatement (Certified)
Change	03.175	Retirement (Certified)
Change	03.273	Retirement (Classified)
Change	03.2711	Nonrenewal (Classified)
Change	03.3	Student Teachers (Certified)
No Change	03.7	Temporary and Substitute Employees

**Early Childhood Education**

The Board shall provide a developmentally appropriate early childhood education program in compliance with applicable statutes and administrative regulations. The program shall provide a developmentally appropriate curriculum that prepares children for successful entry into the primary school. Parent education and involvement shall be components of the early childhood program.

Plans for the early childhood program shall include transportation and supervision guidelines consistent with the mental and physical characteristics of preschool students and applicable statutes and administrative regulations.

The Principal/designee shall designate another adult to provide back-up assistance when only one (1) employee is responsible for supervising a group of preschool students, in order to ensure compliance with the ten (10) to one (1) student teacher ratio established in 704 KAR 3:410.

Early childhood education shall be provided for all at-risk four-year old students and all three- and four-year old students with disabilities, in accordance with applicable statutes and administrative regulations. Other four-year old students may be served in accordance with District procedures.

The early childhood education program shall be funded by tuition and/or by grants and awards through private, local, state, or federal agencies, as well as by the District General Fund as determined by the Board.

**REFERENCES:**

[KRS 157.3175](#)

[702 KAR 003:250](#); [702 KAR 005:150](#)

[704 KAR 003:410](#); [704 KAR 003:420](#)

[707 KAR 001:002](#) et seq.

20 U.S.C. Section 1400 et seq.

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

Adopted/Amended: 2/12/2019

Order #: 2019-24

**Instructional Organization****PHYSICAL ORGANIZATION**

The District shall maintain a pattern of primary and intermediate grades for elementary schools, grades 6-8 for middle schools, grades 9-12 for high schools, and preschool programs required by state law. Alternative education ~~Special~~-programs, provision of services to state agency schools, and special school centers deviating from this pattern shall require Board approval.

**CURRICULAR ORGANIZATION**

For curricular purposes, grades kindergarten through five (K-5) shall be considered elementary ~~childhood~~-education; grades six through eight (6-8), middle education; and grades nine through twelve (9-12), secondary education.

**REFERENCES:**

[KRS 157.3175](#)

[KRS 157.320](#)

[KRS 158.030](#)

[KRS 158.110](#)

[704 KAR 19.002](#)

[505 KAR 001.080](#)

Adopted/Amended: 1/13/2014

Order #: 2014-004

### **Physical Education**

All elementary, middle, and secondary school students shall receive organized physical education instruction as ~~set forth recorded~~ in the Kentucky Academic Standards and in the minimum unit requirements for high school graduation set forth in 704 KAR 003:305. ~~KAR-003:305.~~  
~~In the event.~~

In the event that a high school student's physical condition prohibits participation ~~a in the one-half (1/2)-unit~~ physical education course, the Board may authorize ~~an exemption for a variance in or exempt~~ the student from ~~the one-half unit credit of physical education required for~~ graduation requirements for the course. In the event that a high school student's religious convictions prohibit participation in ~~a the one-half (1/2)-unit~~ physical education course, the Board may authorize ~~an exemption for a variance in or exempt the~~ student from ~~the one-half unit credit of physical education required for~~ graduation requirements for the course.<sup>1</sup> Upon presentation of a certificate from a licensed physician or an affidavit from ~~a leader of a religious denomination the pastor of the church~~ to that effect, in conformity with the requirements set forth in 708 KAR 4:010, a course may be substituted that is within the student's capabilities as specified by the physician or the student may be exempted from the course.

If a school offers the Reserve Officers Training Corps (ROTC) program, the course shall be accepted as meeting the one-half (1/2) unit physical education requirement for high school graduation.

#### **REFERENCES:**

<sup>1</sup>704 KAR 004:010  
KRS 156.160; KRS 158.302  
704 KAR 003:305

#### **RELATED POLICIES:**

08.113  
09.2

Adopted/Amended: 1/27/2014  
Order #: 2014-016

**Review of Instructional Materials**

In schools with a School-Based Decision Making Council (SBDM council), the SBDM school council shall determine which textbooks, instructional materials, and student support services shall be provided in the school. The SBDM council shall establish informal ~~and formal~~-reconsideration procedures to reevaluate materials, books, media, speakers, and electronically accessed resources questioned or criticized by a parent, employee, or District resident. Formal reconsideration procedures are established in District administrative procedures 08.2322 AP.1, 08.2322 AP.21, 08.2322 AP.22 and 08.2322 AP.23. Individuals may appeal a council's decision concerning challenged materials under the Board's policy on appeal of SBDM decisions.

In schools without a SBDM council, the Superintendent shall establish informal ~~and formal~~ reconsideration procedures to reevaluate materials, books, media, speakers, and electronically accessed resources questioned or criticized by a parent, employee, or District resident. Formal reconsideration procedures are established in District administrative procedures 08.2322 AP.1, 08.2322 AP.21, 08.2322 AP.22 and 08.2322 AP.23.

Reconsideration procedures shall include consideration of the written concerns regarding instructional materials stated on an approved form that includes the reason for objection and a statement of the desired outcome regarding the material under consideration. Forms shall be available at the school. Employees receiving a written request for reconsideration of instructional materials shall notify the Principal of the complaint, who shall then notify the Superintendent/designee.

**REFERENCES:**

[KRS 158.183](#)

Board of Educ., Island Trees v. Pico, 102 S.Ct. 2799 (1982)

**RELATED POLICY:**

02.42411

Adopted/Amended: 1/13/2014  
Order #: 2014-004

### **Library Media Centers**

The Board shall establish, maintain and staff a library media center in every school as an integral part of the District's instructional resources, to promote information literacy and technology use in the curriculum, and to facilitate teaching, student achievement and lifelong learning, in keeping with statutory requirements.

#### **SELECTION OF MEDIA MATERIALS AND EQUIPMENT**

Materials shall be selected from all forms of media and shall support and reflect the curriculum taking into consideration the interests, vocabulary, maturity, and ability levels of all students within the school served.

In accordance with Board Policy 09.131 relating to racial educational equity, materials selected by library media centers shall include materials that effectively and accurately include the contributions and historical relevance of African-American, Latinx, Asian-American, and other non-White cultures; the experiences of People of Color; and the history of immigration and ethnic diasporas and their impact on U.S. history, culture, and society.

In schools with SBDM councils, the council shall consult with the school media librarian to develop rules, guidelines, and processes ~~regulations and procedures~~ to ensure the systematic maintenance of libraries as current resources for teachers and students, including the purchase of instructional materials, information technology, and equipment.

In schools without SBDM councils, the school media librarian shall be responsible for developing rules, processes and guidelines ~~regulations and procedures~~ to ensure the systematic maintenance of libraries as current resources for teachers and students and recommending to the Principal the purchase of instructional materials, information technology and equipment.

#### **GIFTS**

Gifts to the library shall be reviewed by and accepted or rejected at the discretion of the librarian, subject to review by the Principal.

#### **REVIEW**

The school media librarian shall annually prepare and submit to the SBDM council and Principal an annual report that includes collection analysis, student visits including class scheduling, expenditures, teacher collaboration, and student technology use.

The school media librarian shall inventory and review the print collection at least every two (2) years for wear and obsolescence and, with the approval of the Principal, dispose of materials which are no longer suitable for use for these reasons. The school media librarian shall evaluate subscription and electronic resources prior to license renewal and, when warranted, with the approval of the Principal, cancel subscriptions.

The Principal shall ensure the effective use of the library media centers within schools and shall, in consultation with the school media librarian, establish student library media center hours, staffing, and processes ~~procedures~~ that best serve the needs of the students.

**Library Media Centers**

(CONTINUED)

**REFERENCES:**

[KRS 158.102](#)

[KRS 160.345](#)

Adopted/Amended: 1/13/2014

Order #: 2014-004

**Previewing Materials**

All materials presented for student use or viewing shall be reviewed by the teacher before use.

Exceptions shall be current events programs and programs provided by Kentucky Educational Television.

Adopted/Amended: 1/13/2014

Order #: 2014-004



### **Curriculum Development and Implementation**

An effective school system consistently uses data from a variety of sources to develop or evaluate strategies to address impediments to student learning. The Board shall hold the Superintendent responsible for District-wide program development and implementation to improve student results.

#### **I. DEVELOPMENT**

New or pilot District-wide programs shall be submitted to the Board for approval. The Board shall review each pilot program annually until it is approved. The Superintendent or designee shall present the following information, to the extent applicable, prior to approval of a new or pilot District-wide program:

##### **A. Goals and Objectives/Program Rationale:**

1. documents a system need;
2. utilizes solid research base;
3. clearly defines the purpose of the program;
4. states the desired outcomes, including the intended impact on student achievement;
5. explains why this approach best fits the identified need, including a cost/benefit analysis, to the extent possible;
6. identifies how the program helps implement the strategic plan;
7. documents the involvement of the affected stakeholders; ~~and~~
8. has a clearly defined set of educational goals; and
- 8.9. sets forth the manner in which the proposed program addresses the policy directive in Board Policy 03.131 District Commitment to Racial Educational Equity relating to diversity in curriculum, instruction, and assessment.

##### **B. Program Plan:**

1. includes a description of the program;
2. considers student, staff, parent, and community expectations or needs;
3. aligns with established District curriculum, priorities and student learning goals;
4. assigns responsibility to program leaders;
5. establishes a detailed implementation plan with timelines;
6. provides for appropriate professional development;
7. provides a long-range budget identifying needed human and material resources;
8. identifies sources of fiscal support for current and future years; and
9. outlines a communication plan.

#### **II. IMPLEMENTATION**

The Superintendent/designee shall implement District-wide educational programs, including but not limited to:

1. training the staff in the delivery of the program;

**Curriculum Development and Implementation**

2. monitoring the delivery of the program;
3. managing human and material resources; and
4. providing equitable access to the program.

Adopted/Amended: 1/13/2014

Order #: 2014-004

## **Students With Disabilities**

### **LEGAL OBLIGATIONS**

The District shall provide, as a part of the total educational program, specially designed instruction and necessary related services that will provide a free, appropriate public education in the least restrictive environment for all students with disabilities ~~enrolled in the residing within the Jefferson County School District.~~

~~Procedures that comply with federal and state laws and regulations shall be developed by the Superintendent/designee.~~

The Board shall operate programs for students with disabilities in conformity with procedures developed by the Superintendent/designee in accordance with the legal obligations contained in the special education and section 504 ~~federal and state laws and regulations procedures~~ relating to such programs.

In situations involving students with disabilities, the Board shall determine whether to file for due process hearings, or appeals therefrom, on behalf of the District, except in the following situations: The Superintendent/designee is authorized to request due process hearings and to file for extensions and appeals therefrom, and to request injunctive relief, due to substantial likelihood of harm/danger/likelihood of injury by or of a student. The Superintendent/designee is authorized to file for mediation on behalf of the Board and to file appeals from the Kentucky Department of Education Special Education Complaint decisions on behalf of the Board.

### **ASSESSMENT**

District special education programs and related services shall meet all requirements established by ~~federal and state laws and regulations governance authorities.~~

### **REFERENCES:**

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

District 504 procedures

[KRS 157.200](#)

707 KAR Chapter 1

A complete listing of pertinent legal references is contained in the District's special education and section 504 procedures, which are incorporated herein by reference.

### **RELATED POLICY:**

09.126 ~~(re requirements/exceptions for students from military families)~~

Adopted/Amended: 1/13/2014

Order #: 2014-004

**- CERTIFIED PERSONNEL -****Certified Personnel****DEFINITION**

Certified personnel are those employees holding positions for which Kentucky teacher certification is required.<sup>1</sup>

**BARGAINED CONTRACTS**

Personnel provisions of contracts negotiated between the Board and local employee associations recognized by the Board shall be followed.

**REFERENCES:**

<sup>1</sup>[KRS 161.720](#) ~~(1)~~  
[KRS 161.020](#)  
[KRS 161.030](#)

**RELATED POLICIES:**

See [Board Policy](#) Chapter 11

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

**- CERTIFIED PERSONNEL -****Certification and Records****CERTIFICATION**

The Board shall maintain ~~set~~ certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements established by the Education Professional Standards Board.

No person shall be eligible to hold the position of Superintendent, principal, teacher, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in such position, unless the person holds a certificate of legal qualifications for such position.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position. It shall be the responsibility of the employee to see that the required certification is on file with the Human Resources Division ~~in the Superintendent's Office~~ and is kept current at all times. The validity and terms for the renewal of any certificate shall be determined by the laws and regulations in effect at the time the certificate was issued.

**NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION**

Schools shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

**CERTIFICATION FOR TEACHING ELECTIVE COURSES**

The Principal/designee shall forward to the Superintendent the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent shall present this information, along with a recommendation for certification requirements, to the Board for its approval.

In determining certification requirements for elective courses, the Board shall observe the following standards:

1. A teacher's preparation program should align with the basic structure of the elective course.
2. Teachers of interdisciplinary electives should be certified in at least one (1) of the disciplines included in the course.

**REFERENCES:**

[KRS 160.350](#); [KRS 161.020](#); [KRS 161.048](#)  
[KRS 161.730](#); [KRS 161.740](#); [KRS 161.750](#)  
[KRS 161.760](#); [KRS 161.780](#); [KRS 161.790](#)  
[KRS 161.800](#); [KRS 161.810](#)  
[016 KAR 001:030](#); [702 KAR 003:320](#)

34 C.F.R. 200.61

P. L. 114-95, (Every Student Succeeds Act of 2015)

PERSONNEL

03.112

**- CERTIFIED PERSONNEL -**

**Certification and Records**

**RELATED POLICIES:**

02.4241; 03.11; 03.5

Adopted/Amended: 1/9/2018

Order #: 2018-11

**- CERTIFIED PERSONNEL -****Transfer of Tenure**

Teachers who have attained continuing contract status in another Kentucky school district and are employed in the District shall serve a one-year probationary period of service before continuing contract status is granted. This applies only when continuing contract status is transferred within seven (7) months from the time employment in the other school district is terminated.

**REFERENCE:**

[KRS 161.740](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -****Coaches and Assistant Coaches**

Any elementary, middle, or high school coach (head or assistant, paid or unpaid) shall successfully complete all training, including safety and first aid training, required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and administrative regulation. A coach shall provide ~~This shall include safety and first aid training and providing~~ the school with documentation of successful completion of a Cardiopulmonary Resuscitation (CPR) C.P.R. ~~course~~ that includes the use of an automatic defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>2</sup>

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>[KRS 161.185](#)

<sup>2</sup>[702 KAR 007:065](#)

[KRS 156.070](#)

[KRS 160.445](#)

[KRS 161.180](#)

**RELATED POLICIES:**

03.2141

09.311

Adopted/Amended: 9/12/2017

Order #: 2017-276



**- CLASSIFIED PERSONNEL –****Nonteaching Coaches and Assistant Coaches**

Any elementary, middle, or high school coach (head or assistant, paid or unpaid) shall successfully complete all training, including safety and first aid training, required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and administrative regulation. ~~A coach shall provide This shall include safety and first aid training and providing~~ the school documentation of successful completion of a Cardiopulmonary Resuscitation (CPR) C.P.R. course that includes the use of an automatic defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>2</sup>

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>[KRS 161.185](#)

<sup>2</sup>[702 KAR 007:065](#)

[KRS 156.070](#)

[KRS 160.445](#)

[KRS 161.180](#)

**RELATED POLICIES:**

03.1161

09.311

Adopted/Amended: 10/10/2017

Order #: 2017-298

**- CERTIFIED PERSONNEL -****Transfer**

The Superintendent shall establish assignment and transfer procedures for effecting voluntary and involuntary transfer/reassignments which may be applied at the request of the employee or which may be initiated by the District. All voluntary and involuntary transfers/reassignments shall be approved by the Superintendent.

At the first meeting following ~~a the~~ transfer, the Superintendent shall notify the Board of ~~the action, which same. Such notification~~ shall be recorded in the Board ~~meeting~~ minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

A teacher elected to a school council shall not be involuntarily transferred during his or her term of office.

Transfer or reassignment of certified personnel will be made no later than thirty (30) days before the first student attendance day of the school year except to fill vacancies created by illness, death, or resignations; to reduce or increase personnel because of a shift in school population; to make personnel adjustments after consolidation or merger; or to assign personnel according to their major or minor fields of training.<sup>1</sup>

Teachers and administrators seeking a different position of responsibility shall have recent training, preferably a field experience or internship in which the person is given related job experiences. The training shall be designed to prepare the individual to assume a position of authority and responsibility and to provide an opportunity for evaluating ~~individual's his/her~~ readiness to assume such a position. The Superintendent shall provide for an orientation ~~and/or~~ workshop before the employee assumes the new responsibilities.

**EMPLOYEE REQUESTS**

A District employees may request and be considered for transfer within the same job classification from one work location to another and for reassignment from one position/job classification to another at the same salary grade having ~~an equivalent the same~~ level of responsibility. A reassignment may be an intra-school or an intra-system action. The employee ~~shall must~~ request a reassignments ~~or and~~ transfers in writing. Such ~~a requests shall will~~ be deemed to have been made on a voluntary basis and once a reassignment or transfer has been made there shall be no appeal. The employee shall meet the minimum qualifications of the ~~position~~/job classification to which ~~the employee is~~ reassigned or transferred.

**TEMPORARY DUTY**

Any employee may be temporarily appointed or assigned by the Superintendent to duties other than the employee's regular duties, subject to the notification of the Board. There shall be no change in compensation or benefits during the temporary appointment or assignment unless authorized by the Superintendent.

## **Transfer**

### **TRANSFER OF EMPLOYEES CHARGED WITH A FELONY**

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under [KRS 160.380](#).

#### **REFERENCES:**

<sup>1</sup>[KRS 161.760](#); [OAG 78-266](#)  
[KRS 160.380](#); [OAG 76-360](#)  
[KRS 160.390](#)  
[OAG 91-149](#)  
[OAG 92-1](#)  
[OAG 91-115](#)  
[OAG 92-135](#)  
[OAG 92-78](#)

#### **RELATED POLICY:**

02.4244

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

**- CLASSIFIED PERSONNEL -****Transfer**

The Superintendent shall establish assignment and transfer procedures for effecting voluntary and involuntary transfer/reassignments which may be applied at the request of the employee or which may be initiated by the school District. All voluntary and involuntary transfers/reassignments shall be approved by the Superintendent.

At the first meeting following ~~a the~~ transfer, the Superintendent shall notify the Board of ~~the action, which same. Such notification~~ shall be recorded in the Board ~~meeting~~ minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**EMPLOYEE REQUESTS**

A District employees may request and be considered for transfer within the same job classification from one work location to another and for reassignment from one ~~(1)~~ position/job classification to another at the same salary grade having an equivalent ~~the same~~ level of responsibility. A reassignment may be an intra-school or an intra-system action. The employee ~~shall must~~ request a reassignments ~~or and~~ transfers in writing. Such a requests ~~shall will~~ be deemed to have been made on a voluntary basis and once a reassignment or transfer has been made there shall be no appeal. The employee shall meet the minimum qualifications of the position/job classification to which the employee is reassigned or transferred.

**TEMPORARY DUTY**

Any employee may be temporarily appointed or assigned by the Superintendent to duties other than the employee's regular duties, subject to the notification of the Board. There shall be no change in compensation or benefits during the temporary appointment or assignment unless authorized by the Superintendent.

**TRANSFER OF EMPLOYEES CHARGED WITH A FELONY**

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under [KRS 160.380](#).

**REFERENCES:**

[KRS 160.380](#)

[KRS 160.390](#)

[OAG 92-135](#)

[OAG 92-1](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -****Promotion**

~~A position~~ ~~Positions~~ established by the Board ~~that which~~ requires administrative or supervisory certification may be deemed as a promotional opportunity for a certified employee.  
~~A promotional opportunity~~ ~~Promotional opportunities~~ shall also include an administrative positions/job classifications ~~that is which are~~ paid at a higher salary range than the one to which an employee is currently assigned.

The promotion of a certified ~~employee personnel~~ shall be made by the Superintendent, who, at the first meeting following the ~~promotion, actions,~~ shall notify the Board of the action, which of same. ~~Such notification~~ shall be recorded in the Board meeting minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

After all administrative personnel in active status are assigned, vacancies shall be advertised and staffed in accordance with affirmative action, equal employment opportunity, and state and federal laws.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under provisions of [KRS 160.380](#).

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position. In addition, attendance data shall be considered in the promotion of employees. References and job attendance data are required of all applicants and these will be carefully considered in making decisions on promotions.

**REFERENCES:**

[KRS 160.380](#)  
[OAG 76-360](#)  
[OAG 91-149](#)  
[OAG 92-1](#)

**RELATED POLICY:**

02.4244

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

**- CLASSIFIED PERSONNEL -****Promotion**

~~A position~~ Positions established by the Board ~~that which~~ requires administrative or supervisory responsibilities may be deemed as a promotional ~~opportunity-opportunities~~. A promotional opportunity ~~Promotional opportunities~~ shall also include an administrative positions/job classifications ~~that is which are~~ paid at a higher salary range than the one to which currently assigned.

The promotion of a classified employees shall be made by the Superintendent who, at the first meeting following the ~~promotion action~~, shall notify the Board of ~~the action, which same. Such notification~~ shall be recorded in the Board meeting minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

After all administrative personnel in active status are assigned, vacancies shall be advertised and staffed, in accordance with affirmative action, equal employment opportunity, and state and federal laws.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position. In addition, attendance data shall be considered in the promotion of employees. References and job attendance data are required of all applicants and will be carefully considered in making decisions on promotions.

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](#).

**REFERENCES:**

[KRS 160.380](#)

[OAG 92-1](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -****Demotion**

In accordance with statutory provisions, the demotion of a certified ~~employee personnel~~ shall be made by the Superintendent, who, at the first meeting following the ~~demotion actions~~, shall notify the Board of ~~the action, which same. Such notification~~ shall be recorded in the Board meeting minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**REFERENCES:**[KRS 161.164](#)[KRS 161.760](#)[KRS 161.765](#)[OAG 76-360](#)[OAG 91-149](#)[OAG 92-1](#)[OAG 92-135](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CLASSIFIED PERSONNEL -****Demotion**

~~In accordance with statutory provisions, the~~ The demotion of ~~a~~ classified ~~employee personnel~~ shall be made by the Superintendent, who, at the first meeting following the ~~demotion, actions,~~ shall notify the Board of ~~the action, which same. Such notification~~ shall be recorded in ~~the~~ Board ~~meeting~~ minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**REFERENCES:**

[OAG 92-1](#)  
[OAG 92-135](#)

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



**- CERTIFIED PERSONNEL -****Reduction in Force**

When, by reasons noted in [KRS 161.800](#),<sup>1</sup> it becomes necessary to reduce the number of certified personnel, the Superintendent shall do so in compliance with the statute. The Superintendent, at the first meeting following the reduction in force, shall notify the Board of the action, which same. ~~Such notification~~ shall be recorded in the Board meeting minutes.

**REFERENCES:**

<sup>1</sup>[KRS 161.800](#)  
[OAG 82-135](#)  
[OAG 80-150](#)

**RELATED POLICY:**

03.1212

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

**- CLASSIFIED PERSONNEL -****Reduction in Force**

The Superintendent shall reduce the work force as necessary in accordance with the Kentucky Revised Statutes.

**PROCESS**

During the budgeting process the Board shall determine the number of classified positions to be funded by the District.

If it becomes necessary, the Superintendent may 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**

When a reduction of force is necessary, the Superintendent shall, within each job classification affected, reduce classified employees on the basis of seniority and qualifications, with those employees who have less than four (4) years of continuous active service being reduced first.

If it becomes necessary to reduce classified employees who have ~~more than~~ four (4) or more years of continuous active service, the Superintendent shall make reductions based upon seniority and qualifications with each job classification affected.

**DETERMINATION OF SENIORITY**

For purposes of effecting a reduction in force, seniority shall be computed from an employee's first compensable day as a probationary, or permanent full-time employee, whichever is applicable within the job classification affected. If more than one (1) employee subject to a reduction in force has the same seniority date, a tiebreaker ~~tie-breakers~~ will be utilized.

**RE-EMPLOYMENT**

Classified ~~E~~mployees with ~~more than~~ four (4) or more 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

**Reduction in Force****RE-EMPLOYMENT (CONTINUED)**

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 offer any preference or recall right in the employment process for employees with less than four (4) years of District experience.

**REFERENCE:**

[KRS 161.011](#)

**RELATED POLICIES:**

02.4331

03.22

03.224

Adopted/Amended: 11/25/2013

Order #: 2013-191

**- CERTIFIED PERSONNEL -****Reinstatement**

The Superintendent may reinstate personnel upon receipt of information which the Superintendent believes justifies reinstatement. The Superintendent shall notify the Board of the reinstatement at the first ~~next~~ meeting following the action, which shall be recorded in the Board meeting minutes reinstatement.

**REFERENCES:**

[KRS 161.790](#)

938 S.W.2d 880 (Ky. 1996)

**RELATED POLICIES:**

03.172

03.173

Adopted/Amended: 11/25/2013

Order #: 2013-191

**-CERTIFIED PERSONNEL-****Retirement****DEFINITION**

Retirement means retirement as determined by Teachers' Retirement System guidelines.

**NOTICE**

Persons retiring should give the Superintendent notice as far in advance as possible but not less than four (4) weeks prior to retirement.

**RESPONSIBILITY**

Retirement benefits shall be solely a matter of contract between the employee and the Teachers' Retirement System and shall not be the responsibility of the Board except that the Board shall deduct and send to the Teachers' Retirement System in the manner prescribed, those amounts required under law.

**UNUSED SICK DAYS**

The Board shall compensate certified employees only upon initial retirement from the District for each unused sick day at the rate of thirty percent (30%) of the daily salary. The maximum number of days on which this calculation shall be based will be the current balance of unused sick days at the time of retirement or the balance as of thirty (30) years of employment, whichever is less. This calculation shall be based on the employee's last annual salary. For personnel who begin employment on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under [KRS 161.155](#) shall not exceed [three hundred \(300 days\)](#). For personnel who become members of the Teachers' Retirement System on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.<sup>1</sup>

The District shall provide compensation for unused sick leave days at the rate of thirty percent (30%) of the employee's daily rate when the employee provides proof he or she qualifies as an annuitant who will receive a retirement or disability allowance from the Teachers' Retirement System.

**ESCROW ACCOUNT**

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

**REFERENCES:**

<sup>1</sup>[KRS 161.155](#)  
[KRS 157.420](#); [KRS 161.220](#)  
[KRS 161.540](#); [KRS 161.545](#)  
[KRS 161.560](#); [KRS 161.600](#)  
[KRS 161.633](#); [KRS 161.635](#)  
[OAG 81-1](#); [OAG 83-191](#); [OAG 97-28](#)

PERSONNEL

03.175  
(CONTINUED)

**-CERTIFIED PERSONNEL-**

**Retirement**

**REFERENCES (CONTINUED)**

29 U.S.C. 631

Adopted/Amended: 7/13/2021  
Order #: 2021-114

**- CLASSIFIED PERSONNEL -****Retirement****DEFINITION**

Retirement means retirement as determined by the County Employees' Retirement System or the Kentucky Teachers' Retirement System guidelines.

**NOTICE**

Persons retiring should give the Superintendent notice as far in advance as possible but not less than four (4) weeks prior to retirement.

**RESPONSIBILITY**

Retirement benefits shall be solely a matter of contract between the employee and the County Employees' Retirement System or the Kentucky Teachers' Retirement System and shall not be the responsibility of the Board except that the Board shall deduct and send to the County Employees' Retirement System or the Kentucky Teachers' Retirement System, in the manner prescribed, those amounts required under law.

**UNUSED SICK DAYS**

The Board shall compensate classified employees only upon initial retirement from the District for each unused sick day at the rate of thirty percent (30%) of the daily salary. The maximum number of days on which this calculation shall be based will be the current balance of unused sick days at the time of retirement or the balance as of thirty (30) years of employment, whichever is less. This calculation shall be based on the employee's last annual salary. For personnel who begin employment on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under [KRS 161.155](#) shall not exceed three hundred (300) days.<sup>1</sup>

The District shall provide compensation for unused sick leave days at the rate of thirty percent (30%) of the employee's daily rate when the employee provides proof he or she s/he qualifies as an annuitant who will receive a retirement or disability allowance from the County Employees' Retirement System or the Kentucky Teachers' Retirement System.

**ESCROW ACCOUNT**

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

**REFERENCES:**

<sup>1</sup>[KRS 161.155](#)

29 U.S.C. 631

[KRS 61.545](#)

[KRS 78.610](#); [KRS 78.616](#); [KRS 157.420](#)

[OAG 81-72](#)

[OAG 83-191](#)

[OAG 97-28](#)

**- CLASSIFIED PERSONNEL -****Nonrenewal**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15.

The Superintendent may non-renew a classified employment contract pursuant to the provisions of [KRS 161.011](#), with written notice being mailed or provided to the employee no later than May 15.

**BASIS FOR NONRENEWAL (LESS THAN FOUR YEARS OF SERVICE)**

The Superintendent may nonrenew the contracts of classified employees with less than four (4) years of continuous active service in the District for any legal reason.

**BASIS FOR NONRENEWAL (FOUR OR MORE YEARS OF SERVICE)**

Classified employees with four (4) or more years of continuous active service in the District may be nonrenewed 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 03.27,
8. Loss or reduction of funding, or
9. A position becomes obsolete or redundant due to program reorganization, changes to program requirements, elimination or reduction of a program, including a school council decision that fewer employees are needed at the school, or ~~a any other~~ change in District personnel staffing policies or guidelines.

The Superintendent shall develop procedures to afford employees due process as required by law.

**REFERENCE:**

[KRS 161.011](#)

**RELATED POLICIES:**

03.27  
03.271

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



**Student Teachers**

The Superintendent/designee shall oversee the utilization of student teachers in the District in keeping with the agreements<sup>s</sup> established with teacher education institutions.

**REFERENCES:**

[KRS 161.010](#)

[KRS 161.042](#)

[016 KAR 005:040](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

**Temporary and Substitute Employees**

Part-time, temporary, seasonal, and substitute staff may be employed in Board-approved positions as determined by the Superintendent.

Paid leaves of absence and other benefits reserved for full-time regular employees are not applicable to part-time classified, temporary, seasonal and substitute employees.

Seniority and rights to reassignment and/or re-employment shall not accrue as a result of service in any part-time classified, temporary, seasonal or substitute staff assignment.

References are required which will be carefully reviewed as part of the decision to employ or re-employ. References will include former and current supervisors.

Adopted/Amended: 11/25/2013

Order #: 2013-191