

Policy Review Cycle Set #7B & Set 8A

Board Policy Committee Meeting

February 22, 2022

Policy Review Cycle Set #7B

Communications

| | | |
|-----------|-------|----------------------------|
| Change | 10.1 | Public Information Program |
| No Change | 10.12 | Public Statements |

Academics

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

Schools

| | | |
|-----------|---------|--------------------------------------|
| No Change | 08.1354 | Voter Registration and Participation |
| Change | 09.41 | Pregnant Students |

Policy Review Cycle Set #8A

Academics

| | | |
|-----------|---------|----------------------------|
| No Change | 08.114 | Early Childhood Education |
| Change | 08.12 | Instructional Organization |
| Change | 08.1346 | Physical Education |
| Change | 08.2321 | Copyrighted Materials |

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 & Asst 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 |

Policy Review Cycle Set 7B

Communications

| | | |
|-----------|-------|----------------------------|
| Change | 10.1 | Public Information Program |
| No Change | 10.12 | Public Statements |

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

Policy Review Cycle Set 7B

Academics

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

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~~^{are} 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~~^{and} school programs, ~~and~~^{and students' academic, social-emotional, and health needs} students' progress, ~~and students' academic, social-emotional, and health needs~~;
- Encourage parents to attend ~~family~~^{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” 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.

Parent/Family Involvement

RELATED POLICY:

08.13451

Adopted/Amended: 7/8/2013

Order #: 2013-124

Policy Review Cycle Set 7B

Schools

| | | |
|-----------|---------|--------------------------------------|
| No Change | 08.1354 | Voter Registration and Participation |
| Change | 09.41 | Pregnant Students |

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.¹ The Board shall provide opportunities for the uninterrupted academic progression of pregnant students. A pregnant student may continue pursuit of~~her~~ formal education through an appropriate educational program designed to meet the student's~~her~~ needs.

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

REFERENCES:

¹34 CFR 106.40
OAG 93-37
OAG 97-26

Adopted/Amended: 1/27/2014

Order #: 2014-016

Policy Review Cycle Set 8A

Academics

| | | |
|-----------|---------|----------------------------|
| No Change | 08.114 | Early Childhood Education |
| Change | 08.12 | Instructional Organization |
| Change | 08.1346 | Physical Education |
| Change | 08.2321 | Copyrighted Materials |

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 high 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 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~~. 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~~.¹ 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 704 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:

¹704 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

Copyrighted Materials

The use of copyrighted material for educational purposes, by school personnel, shall be within the generally accepted uses delineated by applicable law. District personnel and volunteers are authorized to observe [federal](#) "fair use" ~~federal~~ guidelines.

The Superintendent shall develop procedures for informing appropriate personnel of the fair use of copyrighted material for educational purposes.

The District assumes no liability for intentional infringement of copyright by individual employees and volunteers.

ELECTRONIC MATERIALS

All employees shall use electronic materials only in accordance with the license agreement under which the electronic materials were purchased or otherwise procured. Electronic materials are defined as computer software, [online recorded or live-streamed content](#), databases, video tapes, compact and laser disks, electronic textbooks or any other copyrighted material distributed in electronic form.

Any duplication of copyrighted electronic materials, except for backup and archival purposes, is a violation of the law, unless the license agreement explicitly grants duplication rights. The archival copy is not to be used on a second computer at the same time the original is in use. In addition, illegal copies of copyrighted software shall not be used on Board equipment.

Through appropriate professional development activities, the [Chief Information Officer/designee](#) ~~technology coordinator~~ shall inform all employees of their compliance responsibilities with electronic materials licensing agreements and of the penalties for violating those agreements.

The Superintendent/designee shall sign all District software license agreements [and any related data sharing agreements that are needed](#). Each school using licensed software shall have on file a copy of the executed agreement, the original disk or the original documentation.

REFERENCES:

Kentucky Educational Technology System (KETS)
17 U.S.C. §106, 107, 110

RELATED POLICY:

08.2323

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

Policy Review Cycle Set 8A

Exceptional Child Education

Change 08.131 Students with Disabilities

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

Policy Review Cycle Set 8A

Human Resources

| | | |
|-----------|---------|--|
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| Change | 03.112 | Certification and Records (Certified) |
| Change | 03.115 | Transfer of Tenure |
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| Change | 03.171 | Reduction in Force (Certified) |
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| No Change | 03.7 | Temporary and Substitute Employees |

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

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

BARGAINED CONTRACTS

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

REFERENCES:

¹[KRS 161.720](#) (+
[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 a child's parent/guardian parents when ~~the 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/designee the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent/designee 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)

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.²

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.¹

REFERENCES:

¹[KRS 161.185](#)

²[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.²

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.¹

REFERENCES:

¹[KRS 161.185](#)

²[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.¹

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 ~~the 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 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.

Transfer

REFERENCES:

¹[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 opportunities~~ 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](#),¹ 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:

¹[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~~employees 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 employees be subject to a reduction in force, they shall be granted continuation of benefits under COBRA.

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

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 continuous active service-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 regular ~~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.¹

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:

¹[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](#)
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.¹

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:

- ¹[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](#)

Adopted/Amended: 11/25/2013

Order #: 2013-191

- 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:^{1,5}
2. Neglect of duty:^{1,5}
3. Insubordination:^{1,5}
4. Inefficiency:^{1,5}
5. Misconduct:^{1,5}
6. Immorality:^{1,5}
7. Other grounds contained in Board policy, including, but not limited to, causes for action set forth in Board policy 03.27:^{1,5}
8. Loss or reduction of funding:^{1,5} 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 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