

HIGHLIGHTED TEXT IN BLUE IS FROM THE 2023 ANNUAL KSBA UPDATE
LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND
PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2232

- CLASSIFIED PERSONNEL -

Sick Leave

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

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

~~A new classified or former classified employee newly rehired in a classified position may be granted up to twenty (20) additional days while serving in a ninety (90) day new hire probationary period, if appropriate documentation is submitted for an approved absence. The new hire probationary period for a classified or former employee rehired in a classified position with a medical condition related to the Kentucky Pregnancy Act, may be granted up to twenty (20) additional days beyond those described above. All absences during the new hire probationary period for classified employees are unpaid and shall extend the probationary period.~~

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

STATEMENT AFFIDAVIT

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

ACCUMULATION

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

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave may ~~can~~ also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family means an ~~shall mean~~ employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and

Sick Leave**FAMILY ILLNESS/MOURNING (CONTINUED)**

sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative, any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

A classified employee coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to which the employee was entitled on the date of transfer to the District.

A classified employee coming directly to the District from a Kentucky Regional Education Cooperatives recognized by the Kentucky Department of Education shall receive credit from the District for all sick leave accumulated on the last day of employment with the cooperative.

SICK LEAVE DONATION PROGRAM

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

SICK LEAVE BANKS

Sick leave banks may be established as provided by law.

REFERENCES:

[KRS 161.155](#)

[OAG 79-148](#)

[OAG 93-39](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322

03.2233

03.2234

03.224

03.273

Adopted/Amended: 12/13/2022

Order #: 2022-211

Nonresident Students

The District shall not allow a nonresident student ~~students~~ to enroll in a ~~the~~ District school, except that the District may permit a nonresident student to enroll if:

1. The enrollment is necessary to comply with requirements under federal or state law or regulation, or a court order;
2.
 - a. The student is in grades nine (9) through twelve (12) and is a resident within an independent school district within Jefferson County; and
 - b. The independent school district does not have a high school and has entered into an agreement with JCPS to enroll its high school students in JCPS schools; or
3.
 - a. The student is the child of a parent/guardian who is a current employee of the District; and
 - b. The student is eligible for enrollment and the parent/guardian pays the nonresident student tuition approved by the Board in accordance with Board Policy 09.124.

An enrolled student must continue to reside within the District or continue to meet the criteria for nonresident enrollment for the duration of the student's attendance at a District school.

REFERENCES:

[KRS 158.120](#)

[KRS 157.350](#)

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

Adopted/Amended: 6/28/2022

Order #: 2022-116

STUDENTS

09.313

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements.⁻² ~~Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.~~²

MIDDLE SCHOOL STUDENTS PLAYING HIGH SCHOOL ATHLETICS

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making (SBDM) council requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

~~To be eligible to try out and participate at the high school level, a middle school student shall meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.~~

Participation in interscholastic athletics by a student in grade seven (7) or grade eight (8) shall be permitted under the following requirements:

1. A student enrolled in an A1 school that has a grade configuration that includes both middle school and high school grades shall be permitted to participate on a high school team only for that school or program.
2. A student enrolled exclusively and voluntarily in an A5 alternative education program that has a grade configuration that includes both middle school and high school grades and that is a member of KHSAA shall be permitted to participate on a high school team only for that program. The Superintendent may authorize an A5 alternative education program for membership in KHSAA, since A5 programs do not have SBDM councils.
3. A student enrolled in a middle school connected to a high school through a feeder pattern established in the Board-approved District Student Assignment Plan shall be permitted to participate on a high school team only for the high school connected to the middle school by the feeder pattern. The determination of the high school for which a student may participate shall be based on the District Student Assignment Plan that is in effect for the school year during which the student will participate.
4. A student enrolled in any other middle school shall be permitted to participate on a high school team only for the high school to which the student would be assigned under the

Eligibility (Athletics)**MIDDLE SCHOOL STUDENTS PLAYING HIGH SCHOOL ATHLETICS (CONTINUED)**

5. Board approved Student Assignment Plan based on the student's residence, even if the student has applied for and has received admission to another high school for the next year.
6. A middle school student must be a member of the middle school team to play up on a high school team. Middle school practice and games take precedent over high school practice and games.
7. The parent/guardian of a middle school student must apply for and receive approval from the Director of Athletics and Activities prior to participation on a high school team.

STUDENT TRANSFERS

After enrolling in any District high school, a student who is granted a transfer shall have his/her/their eligibility determined in accordance with the KHSAA Transfer Rule.

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations, and bylaws (e.g., KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities sanctioned by the KHSAA shall be eligible to participate in such activities at the District school of that student's residence.

REFERENCES:

¹[KRS 160.345](#)

²[KRS 156.070](#)

[KRS 160.1592](#)

[702 KAR 007:065](#); [OAG 15-022](#); Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241; 09.1222; 09.126 (re requirements/exceptions for students from military families)
09.423

Adopted/Amended: 10/25/2022

Order #: 2022-182

Community Use of School Facilities

WHO MAY USE

The Board encourages the use of school buildings by school-related groups, Parent-Teacher-Student Associations, or other parent groups whose purpose is to serve or benefit the school program. Regular rental fees shall not be charged to school-related groups. Such groups shall reimburse the school district for any additional personnel costs.

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.¹⁴

School facilities shall not be used for personal or commercial activities, except as noted in the provision below.

AVAILABILITY

Non-profit organizations, governmental agencies and individuals may use school buildings or facilities for lawful public assemblies. For-profit organizations may use school buildings or facilities for the purpose of providing before or after school enrichment and other educational programs for the benefit of students in attendance at the school. Use of facilities shall not interfere with school functions and operations. Groups shall obtain necessary approvals and pay appropriate fees and costs prior to the usage.

The Superintendent shall establish procedures for the use of school facilities. Such procedures shall include the provision that the use of tobacco products and electronic cigarettes in or on any property owned or operated by the Board is prohibited.

COMMERCIAL FILMING ON SCHOOL PROPERTY

The Superintendent may establish administrative procedures setting forth rules and parameters under which an individual or company may apply and receive approval to film on location on a school property.

CHARGES

A schedule of charges shall be developed to cover the cost of the purchase or use of District equipment, supplies, and human services required to respond to legitimate requests by individuals or organizations. Charges shall be reviewed and adjusted annually or more often if necessary, in order to provide for adequate reimbursement for supplies and services.

Pursuant to this policy, the Superintendent shall establish and implement a facility use procedure for the use of school buildings by school-related groups and other organizations or individuals. Such procedures shall include a schedule of rental fees and charges.

Revenues from any real estate holdings acquired in anticipation of future school needs or from the rental of property which may be temporarily unused for public school purposes shall accrue to the appropriate fund under the Board's management and control.

APPLICATION

The District shall utilize an official application form which shall detail the conditions of usage. Persons authorized to represent officially the renting individual/organization must sign the application. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

Community Use of School Facilities**LIABILITY**

The Board shall require the renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.

INSURANCE

The individual or group shall provide a certificate of liability insurance for a minimum of \$1 million per occurrence and \$2 million aggregate naming the Board as an additional insured under the policy for the activity.

REFERENCES:

¹[KRS 162.055](#)

[KRS 158.183](#); [KRS 160.290](#); [KRS 160.293](#)

[KRS 160.340](#); [KRS 162.050](#)

[OAG 60-389](#); [OAG 80-78](#)

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

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICIES:

05.31; 10.3

Adopted/Amended: 8/4/2020

Order #: 2020-106