

DEFINITIONS

BOARD

The Kentucky Technical (KY Tech) Education Personnel Board established in [KRS 156.840](#).

CERTIFIED EMPLOYEES

Those employees who fill school or educational assignments requiring the issuance of a certificate and are subject to personnel administration under [KRS 156.800](#) to [156.860](#). These employees are subject to personnel administration under KRS Chapter 156.

CLASSIFIED POSITION

A position status as merit system employees under the provisions of KRS Chapter 18A, which is under the jurisdiction of the State Personnel Cabinet and Personnel Board. Typical examples of the type of employees within the Department of Technical Education who are included in the category of KRS Chapter 18A classified position are ~~secretaries~~ [administrative specialists](#) and maintenance workers.

~~**CONTINUING EDUCATION INSTRUCTOR**~~

~~A P-1 instructor hired on an hourly basis.~~

DUAL EMPLOYMENT POSITION

Employees serving in two (2) positions as authorized by the Associate Commissioner of Career and Technical Education. ~~An example of the need for this position is when an employee is requested to teach a class for industry that is separate from his normal work day duties.~~ [An example of an employee in this type of position is one that typically teaches welding being asked to also teach a class for industry- which is separate from welding.](#) Dual employment is limited to [a total of 420 hours per school year.](#)

EMPLOYMENT LIST - 156

A list of qualified applicants eligible for employment, generated as a result of a request in connection with the filling of a 156 position.

~~**EQUIVALENT EMPLOYEES**~~

~~Those employees with educational backgrounds similar to certified personnel in the administration and conduct of educationally related services. These employees are subject to personnel administration under KRS Chapter 156.~~

INCREMENTS (ANNUAL)

~~The annual pay increase. The amount is allocated by the Legislature.~~

Dates	July 1 of each year, regardless of hire date.
156	
18A	12 months following the end of initial probationary period

INTERNAL MOBILITY SYSTEM

Current state employees (18A) interested in changing positions or being promoted may be placed in the Internal Mobility System. [The employee must qualify for the position in which to which they are applying.](#) ~~by qualifying for the position.~~ Additional information is available on the [Kentucky Personnel Cabinet website internet at:](#)

<https://extranet.personnel.ky.gov/Pages/Hiring.aspx>

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INTRODUCTION

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<https://sjobs.brassring.com/TGWebHost/home.aspx?partnerid=20101&siteid=5031>

DEFINITIONS

P-1 EMPLOYEES

Employees that are hired through the 18A or 156 personnel system through Frankfort and have a Request for Personnel Position Action (P-1) generated as acknowledgement of their appointment.

PROBATIONARY PERIOD

All new employees serve a probationary period. An employee who does not satisfactorily complete the initial probationary period shall not be eligible for reemployment in that job classification.

- KRS 156/KRS 158* First 12 Months -- Initial Probation
- Following 36 Months -- Limited Status
- Beginning the 5th Year -- Continuing Status
- 18A* First six (6) Months -- Probation

QUARTER

~~As it relates to payroll/personnel, a quarter is a three month period that falls in conjunction with the fiscal year and pay earned.~~

~~Quarter definitions are as follows (pay periods earned):-~~

- ~~December 16 — March 15 — March 16 — June 15~~
- ~~15~~
- ~~June 16 — September 15 — September 16 — December 15~~

RANKED HOURLY INSTRUCTOR

Hourly instructors ~~working that work~~ less than 100 hours per month, and ~~usually~~ have a current teaching certificate.

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~~**REGISTER - 18A**~~

~~An official list of eligible applicants for a particular class maintained for use in making appointments or promotions to positions in the 18A classified services.~~

STATEMENT OF ELIGIBILITY - TYPES

- Statement issued as a result of someone successfully completing a specific course of study at a college or University and completing student teaching.
- Statement issued as a result of someone successfully completing the appropriate Teacher Testing process.

STUDENT LABOR

~~Students can be hired as a Non P-1 person for a clerical, secretarial, maintenance, or comparable position, etc., which is not limited to the 75-hour rule as with similar titles in Non P-1. However, students cannot work when they are supposed to be in class.~~

DEFINITIONS

TEACHER TESTING

All of Kentucky's new ~~occupation-based (full-time)~~ teachers who do not have a degree in the content area for which they are being certified, are required to meet the following testing requirements. Dependent upon the degree(s) held, testing may also be required for teachers who already hold a current teaching certificate (in-state or out-of-state) but are adding an occupation-based certification area. The testing process may include one or both of the following:

1. NOCTI/National Occupational Competency Testing Institute (NOCTI) as identified on the EPSB Board Assessment Order or have a current valid industry certification in the content area.
 2. If the teacher applicant does not have ANY college hours on an official college transcript, the applicant will also be required to take an entrance exam and meet specified benchmarks.
- ~~current teaching certificate or Statement of Eligibility, must successfully complete the Teacher Testing Program. The testing process may include one or both of the following two (2) areas:~~

- ~~1. Compass/PRAXIS I~~

~~NOCTI/National Occupational Competency Testing Institute~~

TEMPORARY POSITIONS (156 ONLY)

Position that is established for a definite period of time ~~- is limited to~~ of nine (9) months or less during a 12-month period. A letter is required justifying the need for the position and stating the definite period of time the position is needed.

ACRONYMS RELEVANT TO TECHNICAL EDUCATION PROGRAMS

A—B	
A+ Certification	(Person has a broad knowledge and competency in core hardware and operating system technologies)
ABC	Associated Builders and Contractors
ABE	Adult Basic Education
ACT	American College Test
ADAAG	Americans with Disabilities Act Accessibility Guidelines
ADD	Area Development District
ADDA	American Design Drafting Association
AGC	Associated General Contractors
ARC	Admissions and Release Committee (IEP meeting)
ASE	Automotive Service Excellence
ASMS	Automated School Management System
ATC	Area Technology Center
AWS	American Welding Society
AYES	Automotive Youth Educational Systems
B&I	Business and Industry
BGABO	Bowling Green Administrative Business Office
BOB	Beginning of Business (personnel)

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DEFINITIONS

BSSC	Bluegrass State Skills Corporation
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DEFINITIONS

C–D	
CAA	Community Action Agency
CAD	Computer Aided Drafting
CAM	Computer Aided Manufacturing
CARE	Commonwealth Access to Resources System
CBO	Community Based Organization
CC	Community College
CCNA	CISCO Certified Network Administrator
CDP	Career Development Portfolio
CEAK	Cooperative Education Association of Kentucky
CEU	Continuing Education Unit
CIDS	Career Information Delivery System
CIP	Classification of Instructional Programs
CNA	Certified Nursing Assistant
COB	Close of Business (personnel)
COE	Commission on Occupational Education
Comp TIA	Computing Technology Industry Association
Completer	A student who completes four courses in a sequence of courses leading to an occupation and graduates from high school. (Secondary Only)
Co-op	Cooperative Education
CTE	Career and Technical Education
CWE	Certified Welding Educator
CWEP	Community Work Experience Program
CWI	Certified Welding Instructor
CWSP	College Work Study Program
DCIP	District Continuous Improvement Plan
DECA	Distribution Education Clubs of America
DES	Department for Employment Services
DIS	Department of Information Systems
DOT	Dictionary of Occupational Titles
DSI	Department for Social Insurance
DSS	Department for Social Services
DVR	Department for Vocational Rehabilitation
E–F	
EDC	Economic Development Cabinet
EEO	Equal Employment Opportunity
EILA	Effective Instructional Leadership Act

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DEFINITIONS

EILTP	Effective Instructional Leadership Training Program
EKCEP	Eastern Kentucky Concentrated Employment Program
EKN	Employ Kentucky Network
EP	Exploratory Program
ESAR	Electronic Student Aid Data
ESL	English as a Second Language
FAA	Financial Aid Administrator
FBLA	Future Business Leaders of America
FFA	FFA
FCCLA	Family Career and Community Leaders of America (formerly Future Homemakers of America)
FFY	Federal Fiscal Year
FWS	Federal Work Study
FY	Fiscal Year
G–H	
GPA	Grade Point Average
GSC	Governmental Services Center
HOSA	Health Occupations Students of America
HSED	High School Equivalency Diploma
HSTW	High Schools That Work
HVAC	Heating, Ventilation and Air Conditioning
I–J	
ICP	Individual Career Plan
IEP	Individual Education Plan
ILP	Individual Learning Plan
ILRSP	Independent Living Rehabilitation Services Program
IT	Information Technology
JATC	Joint Apprenticeship and Training Committee
JOBS	Job Opportunities and Basic Skills
K–L	
KACTE	Kentucky Association for Career and Technical Education (Formerly Kentucky Vocational Association – KVA)
KAR	Kentucky Administrative Regulations
KASEAA	Kentucky Association of Student Financial Aid Administration
KATEA	Kentucky Applied Technology Education Association
KATS	Kentucky Assistive Technology Center
KCA	Kentucky Counseling Association
KCTCS	Kentucky Community and Technical College System

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DEFINITIONS

KDE	Kentucky Department of Education
KEA	Kentucky Education Association
KERA	Kentucky Education Reform Act
KETS	Kentucky Education Technology System
KHEAA	Kentucky Higher Education Assistance Authority
KIDC	Kentucky Industrial Development Council
KLTI	Kentucky Leadership Training Institute
KNAT	Kentucky Medical Nurse Aide Testing
KOICC	Kentucky Occupational Information Coordinating Committee
KOSSA	Kentucky Occupational Skill Standards Assessment
KRS	Kentucky Revised Statutes
KTIP	Kentucky Teacher Internship Program
KVAT	Kentucky Vocational Achievement Test
KY Tech	State Operated Area Technology Centers
LD	Learning Disabilities
LEA	Local Education Agency
LEP	Limited English Proficiency
LGDEF	Local Government Economic Development Fund
LLMA	Local Labor Market Areas
LRC	Legislative Research Commission
M – N	
MARS	Management Administrative and Reporting System—Now EMARS
MIS	Management Information System
MNA	Medicaid Nurse Aide
MOA	Memorandum of Agreement
MOS	Microsoft Office Specialist
NAHOT	National Association of Health Occupation Teachers
NASDCTE	National Association for State Directors of Career and Technical Education (Formerly NASDVE—National Association for State Directors of Vocational Education)
NATEF	National Automotive Technicians Education Foundation
NATFACS	National Association of Teachers of Family and Consumer Sciences
NBEA	National Business Education Association
NCCER	National Center for Construction Education and Research
NCES	National Center for Research in Vocational Education
NEW	Nontraditional Employment for Women Act

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DEFINITIONS

NIE	National Institute for Education
NIMS	National Institute for Metalworking Skills, Inc.
NNCCVE	National Network for Curriculum Coordination in Vocational Education
NOCTI	National Occupational Competency Testing Institute
NP	Nontraditional programs—occupations that employ less than 25% of one-gender
NPI	New Principals' Institute
NTE	National Teachers Examination
NTI	New Teachers Institute
NVATA	National Vocational Agriculture Teacher Association
<i>O—P</i>	
O*Net	Occupational Information Network
OC	Occupational Classification
OCTE	Office of Career and Technical Education
OEA	Office of Education Accountability
OEOD	Office for Employee and Organizational Development in the Personnel Cabinet
OPM	Office of Policy and Management
OSHA	US Occupational Safety and Health Administration
PEBSCO	Kentucky Public Employees Deferred Compensation System
PGP	Professional Growth Plan
PIC	Private Industry Council
PIP	Program Improvement Plan
PL	Public Law
PCT	Price Contract
PPE	Pay Period Ending
PT	Part-time Employment
PTR	Pupil Teacher Ratio
PY	Program Year
<i>Q—R</i>	
REP	Request for Proposals
<i>S—T</i>	
SACS	Southern Association of Colleges and Schools; AdvanceEd
SACSCASI	Southern Association of Colleges and Schools Kentucky Council on Accreditation and School Improvement
SAGE	System for Assessment and Group Evaluation
SAR	Student Aid Report
SAS	Simplified Access to Commonwealth Services
SAT	Scholastic Assessment Test

DEFINITIONS

SCIP	School Continuous Improvement Plan
SEA	State Education Agency
SEEK	Support Education Excellence in Kentucky
SEOG	Supplemental Educational Opportunity Grant
SFAS	Student Financial Aid Specialist
SISI	Standards and Indications for School Improvement
SJTCC	State Job Training Coordinating Council
SkillsUSA	(VICA) Vocational Industrial Clubs of America
SREB	Southern Region Educational Board
STC	School to Career (State funded)
STEP	Special Training Education Proficiency Exam
STI	Software Technology Inc
TABE	Test of Adult Basic Education
TEDS	Technical Education Data System
TSA	Technology Student Association
U–V	
VEP	Vocational Exploratory Program
V-TECS	Vocational Technical Education Consortium of States
VICA	Vocational Industrial Clubs of America (SkillsUSA VICA)
VTE/UCC	Vocational Technical Education/University Coordinating Committee
W–X–Y–Z	
WIA	Workforce Investment Act
WIB	Workforce Investment Board
WISAR	Warehouse Initiative for Simplified Access Data Reporting
YFA	Young Farmer Association

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REFERENCES:

- ~~KRS 151A~~
- KRS 18A
- [KRS 156.800](#)
- [KRS 156.840](#)

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Kentucky TECH Guiding Principles

Kentucky TECH refers to the system of secondary technical education ~~centers programs~~ operated by the Office of Career and Technical Education (OCTE). ~~Kentucky~~ ~~TECH~~ ~~Hech~~ The policies and procedures contained in this manual shall govern ~~those~~ ~~the~~ area technology centers.

VISION

With high expectations and strong partnerships, Kentucky TECH will actively engage all students in the mastery of academic and technical skills needed to be ready for college and a career.

MISSION

The mission of career and technical education is to assist schools in providing students with skills necessary for a successful transition to postsecondary education or work and a desire for life-long learning in a global society.

PURPOSE

~~Career and technical education is an essential component of the high school curriculum. For many students, it represents as much as a third of their high school experience. It is a critical component in meeting the needs of students in academic achievement, career exploration, career preparation, and leadership development. Successful transition to postsecondary education, work, or the military is one of the goals of Kentucky's educational system. The percentage of students making a successful transition is a component of the high school accountability index.~~

BELIEFS

- Students learn best when they are actively engaged in the learning process.
- Students learn best when our staff maintains high expectations for learning.
- Students are motivated to learn when classroom instruction is related to real-world applications.
- All students in our school need to have an equal opportunity to learn.
- A safe and physically comfortable environment promotes student learning.
- Students learn best when instruction incorporates both academic and technical skills.
- Effective school leaders engage in practices that support the ongoing improvement of teaching and student performance.
- Teachers, administrators, parents and the community share the responsibility for helping students learn.

NOTICE OF NONDISCRIMINATION

~~The Office of Career and Technical Education does not discriminate on the basis of race, color, national origin, sex, genetic information, religion, age, disability, or limitations related to pregnancy, childbirth, or related medical conditions in educational services and/or employment.~~

Kentucky TECH Guiding Principles

NOTICE OF NONDISCRIMINATION (CONTINUED)

The Office of Career and Technical Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, marital status, or religion in admission to educational programs, activities, and employment practices in accordance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 (revised 1992), and the Americans with Disabilities Act and shall provide, upon request by a qualified disabled individual, reasonable accommodations including auxiliary aids and services necessary to afford individuals with a disability an equal opportunity to participate.

A nondiscrimination policy statement must be printed on the following publications:

- Publications describing admissions policies
- Enrollment Applications
- Employment Applications
- Student Handbooks
- Staff Handbooks
- Student Code of Conduct
- Program Catalogs
- Student Publications
- Program Brochures
- Letterhead
- Newsletters
- Other circulated publications

The following statement is to be used on **multi-page** publications:

“The **(name of agency, school, office, etc.)** does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, marital status and religion in admission to educational programs, activities, and employment practices in accordance with [Title VI](#), [Title VI](#) of the Civil Rights Act of 1964, [Title VII](#) of the Civil Rights Act of 1964, [Title IX](#) of the Education Amendments of 1972, [Section 504](#) of the Rehabilitation Act of 1973 (revised 1992), and the [Americans with Disabilities Act](#) and shall provide upon request by a qualified disabled individual, reasonable accommodations including auxiliary aids and service necessary to afford individuals with a disability an equal opportunity to participate. For more information, contact **(name of the appointed person(s) serving as the coordinator(s) at the (name of agency, school, office, etc., work address and telephone number).**”

NOTICE OF NONDISCRIMINATION (CONTINUED)

Single page publications such as program flyers, letterhead, newsletters, memoranda, etc., may use the following statement:

“EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITIES M/F/D”
ADA requires printed materials to be available in different formats.

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Kentucky TECH Guiding Principles**YEARLY CLASSIFIED NEWSPAPER PUBLICATION ADVERTISEMENT**

The guidelines for elimination of discrimination and denial of services on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, and disability in [career and technical vocational](#) education programs require recipients of federal funds to notify students, parents, employees, and the general public that all [career and technical vocational](#) education programs, services, activities and employment are available without regards to race, color, national origin, sex (including sexual orientation or gender identity) or disability. Prior to the beginning of each school year (between July and September), each institution must publish a classified advertisement in a well-circulated newspaper in the service area of the institution. Regulations require that each institution affirm their nondiscrimination policy statement and identify their EEO Counselor's name, address, and telephone number. A brief summary of [career and technical vocational](#) programs and admission criteria should be included in the announcement.

An original ~~newspaper publication advertisement~~ identifying the source and date of publication must be submitted annually to the Office of Career and Technical Education to be included in the report to the Office for Civil Rights to document compliance with the regulation. ~~An Equity Discrimination Newspaper Advertisement Form will be sent to the schools annually.~~

WEBSITE ACCESSIBILITY

The OCTE is committed to ensuring accessibility of its website ~~to anyone with a disability, from students to employees, and visitors to members of the community alike. for students, employees, visitors, and members of the community with disabilities.~~ All pages on the OCTE's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

Under OCTE developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official OCTE web presence which is developed ~~by,~~ maintained ~~by,~~ and/or offered through the OCTE or ~~third-party~~ vendors and open sources.

REFERENCES:

KRS Chapter 344
[780 KAR 002:010](#)
 Americans with Disabilities Act
 Section 504 of the Rehabilitation Act of 1973
 Title VI of the Civil Rights Act of 1964
 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
 20 U.S.C. 1681, Education Amendments of 1972, Title IX
 Genetic Information Nondiscrimination Act of 2008
 20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
 Web Content Accessibility Guidelines
 Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)
 H.R. 1065 (EH) - Pregnant Workers Fairness Act

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INTRODUCTION

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Kentucky TECH Guiding Principles

RELATED POLICIES:

03.113; 03.162
09.13; 09.42811
10.5

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

Planning

The Annual Planning Guide for Principals:

- ~~1. Serves as a resource to assist principals in performing their job duties;~~
- ~~2. Identifies tasks that must be completed on a monthly basis; and~~
- ~~3. Serves as a quick reference for responsibilities identified in the Kentucky TECH policies manual.~~

The Annual Planning Guide for Teachers:

- ~~1. Serves as a resource to assist teachers in performing their job duties;~~
- ~~2. Is designed so that teachers will know when specific tasks are to be completed; and~~
- ~~3. Cross references activities that will help the teacher meet the requirements of program assessment.~~

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Kentucky TECH Policies and Procedures

The Kentucky Board of Education has adopted policies for the implementation of administrative regulations that apply to technical education programs operated by the Office of Career and Technical Education, Kentucky Department of Education.

UPDATING

Such policies shall be kept up to date by filing amendments thereto and shall be public records.

Proposed amendments to policies shall be referred to the Associate Commissioner of Career and Technical Education at the Kentucky Department of Education.

ACCESS TO POLICIES

Policies are accessible online at this address:

<http://policy.ksba.org/O06/>

POLICIES ARE BINDING

All policies are binding on employees and students in schools operated by the Office of Career and Technical Education. Employees and students who fail to comply with policies may be subject to disciplinary action. While the disciplinary measures taken may differ based on your status on campus, policies apply to anyone on an ATC campus: students, employees, parents, vendors, as well as members of the community.

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REFERENCES:

KRS Chapter 18A
[KRS 156.800](#) to [KRS 156.860](#)
[780 KAR 001:010](#) - [780 KAR 007:060](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Governance and Oversight**STRUCTURE****Office of Career and Technical Education:**

The Office of Career and Technical Education (OCTE) is a state agency under the direction of the Kentucky Department of Education. As a state agency, the OCTE is governed by state administrative regulations and statutes established by the Kentucky General Assembly.

Area Technology Centers:

Area Technology Centers are under the direction of the ~~OCTE, Office of Career and Technical Education~~.

Central Office:

The OCTE Central Office staff within the Kentucky Department of Education serve as a resource and support for all Area Technology Centers.

PERSONNEL:

Area Technology Centers, under the Office of Career and Technical Education employ individuals under two (2) different categories and/or personnel systems:

1. KRS 156; and
2. KRS 18A

STAFFING

The Office of Career and Technical Education designates the staffing pattern for the Area Technology Centers. Area Technology Centers across Kentucky are assigned one (1) administrator; at least one (1) support staff member; at least one (1) maintenance staff member; and adequate instructional staff to provide informed and comprehensive training to the students.

REFERENCES:

[705 KAR 004:231](#)
[780 KAR 002:030](#)

RELATED POLICY:

08.1

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

School Resource Officers (SROs)

DEFINITION

~~"School resource officer" or "SRO" means an officer whose primary job function is to work with youth at a school site who has specialized training to work with youth at a school site and is:~~

- ~~(a) — 1. A sworn law enforcement officer; or~~
- ~~2. A special law enforcement officer appointed pursuant to KRS 61.902; or~~
- ~~3. A police officer appointed as a certified SRO; and~~
- ~~(b) — Employed:~~
 - ~~1. Through a contract between a local law enforcement agency and a school district;~~
 - ~~2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or~~
 - ~~1. Directly by a local Board of Education. [†]"School resource officer" or "SRO" means an officer whose primary job function is to work with youth at a school site as described in KRS 158.4414, who has specialized training to work with youth at a school site pursuant to KRS 158.4414, and who is:~~
 - ~~2. (a) 1. A sworn law enforcement officer;~~
 - ~~3. 2. A special law enforcement officer appointed pursuant to KRS 61.902; or~~
 - ~~4. 3. A police officer appointed pursuant to KRS 158.471;~~
 - ~~5. and (b) Employed:~~
 - ~~6. 1. Through a contract between a local law enforcement agency and a school district;~~
 - ~~7. 2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or~~
 - ~~3. 8. 3. Directly by a local board of education;~~
 - ~~4. 9.~~

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ASSIGNMENT

Pursuant to KRS 158.4414, each Area Technology Center (ATC) shall cooperate with the local Board of Education and Superintendent of the home District on the assignment of at least one (1) certified SRO to the campus where the ATC is located.

TRAINING REQUIREMENTS

All School Resource Officers (SROs) with active SRO certification shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm, notwithstanding any provision of local Board policy, local school council policy, or memorandum of agreement.²

ADMINISTRATION

02.31

REFERENCES:

¹[KRS 158.441](#)

²[KRS 158.4414](#)

[KRS 158.471](#)

[KRS 15.380](#); [KRS 15.520](#)

[KRS 61.902](#); [KRS 70.290](#)

[KRS 158.471](#); [KRS 158.473](#); [KRS 158.475](#); [KRS 158.477](#); [KRS 158.479](#); [KRS 158.481](#)

[KRS 158.4415](#)

RELATED POLICY:

09.4361

Adopted/Amended: 8/3/2022

Order #: VIII.A.

Personnel**GENERAL PROCEDURES**

Personnel involved in the operation of State operated ~~area technology centers~~ [ATCs](#) are under the direction of the KDE ~~OCTE~~ [Office of Career and Technical Education](#).

Personnel matters involving area technology centers are initiated by the Principal, and should follow the designated chain of command within the Office of Career and Technical Education, ~~and on to appropriate levels as deemed necessary by individual transactions~~. Personnel matters are governed by KRS 156 and KRS 18A. For questions, contact KDE Division of Resource Management at 502-564-3716.

Individuals contracted through a Memorandum of Agreement (MOA) between the OCTE and a local school district must adhere to Kentucky TECH policies and procedures and will be evaluated based on the conditions of the MOA.

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EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, OCTE 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:

¹[KRS 156.808](#); [780 KAR 003:100](#)

[KRS 18A.111](#)

[KRS 18A.005](#)

~~[KRS 18A.011](#)~~

[KRS 156.826](#)

[101 KAR 001:325](#)

[780 KAR 003:060](#)

[780 KAR 006:050](#)

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

20 U.S.C. 7926;

Adopted/Amended: 6/7/2017

Order #: XIII(A)(1)

Health Information

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Principal advises other personnel of the employee's medical condition.

The Principal shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

SCHOOL TO REPORT

The Principal shall report immediately all known or suspected cases of communicable disease to the local health department and to the principal of each district sending students to the area technology center. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation [Section 2 of 902 KAR 2:020](#).¹

REFERENCES:

¹[702 KAR 001:160](#); [902 KAR 002:020](#); [KRS 214.181](#); [KRS 214.625](#)
[KRS 18A.030](#)
~~[OAG 65-560](#)~~[OAG 65-560](#)

Genetic Information Nondiscrimination Act of 2008
Americans with Disabilities Act

RELATED POLICY:

03.1234

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Certification and Records

Maintaining certification is the responsibility of the individual employee. It shall be the responsibility of the employee to see that the required certification is on file with the school and OCTE and is kept current at all times. Certificates and certification information are available to employees through their Kentucky Educator Certification System (KECS) account.

VERIFICATION OF EDUCATION AND WORK EXPERIENCE - 156

- *Instructors:* The Area Technology Center Principal shall verify employment history, education and experience of all applicants.
- Office of Career and Technical Education program curriculum consultants shall determine if an applicant is qualified to interview for a position by reviewing the application. Official approval by the program consultants is given when the Verification of Experience form (available on the OCTE website) has been submitted for certification and reviewed by the consultant.

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PROCESS TO BECOME OCCUPATION-BASED CERTIFIED

1. Applicant completes online employment application for appropriate KY TECH position.
2. Kentucky Department of Education (KDE) Office of Career and Technical Education (OCTE) will verify the candidate has a successful and appropriate occupational experience in the area in which certification is sought and clear the Principal to interview the candidate.
3. Principal conducts interviews with desired candidate pool and notifies KDE Human Resources (HR) of the top candidate to hire.
4. Applicant completes the following:
 - Verification of experience form Application for Occupation-Based Career and Technical Education Certification and Ranking (~~CA-3~~)
 - If the applicant has earned college credits ~~hours~~, an official transcript must be mailed to the OCTE Certification Specialist
 - Child Abuse and ~~neglect~~ check (DPP-156)
 - Fingerprint (state and federal) ~~form FD-258~~
5. OCTE will review ~~CA-3~~ the Verification of Experience form and official transcript to determine if additional assessment(s) are ~~is~~ needed to show academic and/or technical content knowledge. If additional assessment(s) (KYOTE and/or NOCTI) are ~~is~~ needed, the OCTE Certification Specialist will communicate with candidate to schedule any additional assessment(s).
6. Candidate is responsible for ensuring that all documentation, including the results from the candidates' background check results, is forwarded to OCTE, ATTN: Certification Specialist, 300 Sower Boulevard, 5th floor, Frankfort, KY 40601 if sent US Mail, ore emailed to the OCTE Certification Specialist. Background checks and CAN results are sent electronically to the OCTE human resources contact for the school. *Documentation Includes:
 - Application for Occupation-Based Career and Technical Education Certification and Ranking (Verification of Experience form ~~CA-3~~)

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PERSONNEL

03.112

- Candidates seeking certification who have been self-employed must secure documentation on length and experience of self-employment in related area/and submit with the [Verification of Experience form-CA-3](#).
- KYOTE (see requirements for other valid assessment) scores, if required. [The KYOTE assessment may be taken locally but must be proctored by a school employee that has taken the Administration Code Training \(Based on 703 KAR 5:080 Administration Code for Kentucky's Educational Assessment Program\)](#). KYOTE tests are scheduled by the OCTE Certification Specialist. ~~The KYOTE assessment may be taken at any KCTCS testing center.~~
- NOCTI Assessments (if required) are scheduled by the OCTE Certification Specialist and must be taken at a NOCTI approved testing center. OCTE will order the test once the fee has been paid by the applicant, and the test will be scheduled at the applicant's choice of testing locations by OCTE. See current [EPSB Board Assessment Order for Occupation-Based Certification](#) for information on cut scores needed and industry certifications that may substitute for NOCTI.
- Official High School Transcript, GED or Official College/University Transcript

Certification and Records

PROCESS TO BECOME OCCUPATION-BASED CERTIFIED (CONTINUED)

- Any applicable required License/Certification or diploma or NOCTI test (if applicable)

7. Once the Verification of Experience form is received by the OCTE Certification Specialist, it will be reviewed by the respective program curriculum-consultant for official approval. If approved, and all other required documentation/testing has been received/completed, the OCTE Certification Specialist will start the certification process in the Kentucky Educator Credentialing System (KECS). An email to the application will be sent with instructions on how to create a KECS Account. Once the account has been created, all supporting documentation for certification will be uploaded to the system. Once the documentation has been uploaded and the application started, the applicant will receive an email with instructions to login to their KECS account to complete the online Character and Fitness. Once that is complete, the online application will be finalized and will go to EPSB for final review and issuance of a The KDE OCTE forwards the CA-3 to Educational Professional Standards Board (EPSB), who will issue a One (1)-Year Provisional Occupation Based Certificate for Occupation-based teacher certificate. Teaching via the email address provided on the candidate's CA-3 form. The candidate is responsible for setting up an online account with EPSB and will be provided with email instructions on how to complete that process. KDE must have the provisional teacher certificate on file before the candidate can begin working with students. KDE must have the provisional teacher certificate on file in the teachers KECS account. Notification that the certificate has been issued will be sent to the applicant from within their KECS account. The candidate should login to KECS and print their certificate and provide a copy to their Principal and HR.

7-8. Upon receipt of communication via email from EPSB with a link to the provisional teaching certificate, the candidate should email a copy of the certificate to the Principal.

Certification must be maintained as part of continuing employment.

College Commitment: Instructors, who do not have the applicable degree, must make a commitment to obtain the required degree within six (6) years of initial certification. The one (1) year provisional certificate must be renewed each year. New Teacher Institute (NTI) will satisfy the requirements for renewal for the first two years. After NTI has been completed, subsequent renewals of the one (1) year provisional certificate will require 6 credit hours toward the completion of the required degree on an official transcript. The one (1) year provisional certificate shall be limited to five (5), one (1) year renewals for a total validity period of six (6) years.

Licensure: If industry licensure is a part of the requirements to qualify for employment, current licensure must be maintained.

New Teacher Institute (NTI): NTI provides intense training on classroom management, classroom assessment, instructional planning, instructional strategies, working with diverse student populations, and CTE-specific teacher dispositions. New instructors who have not been previously certified to teach secondary education in Kentucky by EPSB, participate in NTI two (2) year program. Current certified teachers that add an occupation-based area to their existing certificate, may be asked to participate in one year of NTI (placed in Year 2 cohort). Upon hire, instructors are automatically registered for NTI and expected to complete the two (2)-year program, a combination of face-to-face state-wide and regional meetings, online collaboration,

Certification and Records

and classroom-based support provided by KDE program consultants, trained mentor coaches, mentor teachers and building administrators.

Successful completion of NTI is a requirement of continued employment.

TEACHER AND PRINCIPAL CERTIFICATION

All certification documentation should be forwarded through the Personnel/Payroll Officer (Employee to Area Technology Center Office for Principal's signature to Personnel/Payroll Officer.)

Certified and equivalent employees in the Office of Career and Technical Education shall meet the requirements for professional education as specified in the classification system and shall maintain the continuing education requirements and administrative regulations promulgated by the EPSB specified for each certified position as a condition of employment.

Certification is the responsibility of the instructor and is a requirement of continued employment. If applicable, instructors must maintain current licensure as specified for their particular occupational area. If a teacher's certification lapses, they will be issued ~~must go to an~~ Emergency Substitute certification at Rank IV until the requirements have been met to reissue their certification.

Certification and Records

TEACHER AND PRINCIPAL CERTIFICATION (CONTINUED)

Different components of certification are as follows:

Center Principals:

1. Principals who possess administrative certification but have no experience in administration shall participate in required staff development activities offered through the Office of Career and Technical Education.
2. **New Instructors without Kentucky secondary certification:** All instructors in the Kentucky Tech System who do not have previous certification and teaching experience with Kentucky Tech, may be required to successfully complete the NTI program (as a condition of continued employment.)
 - a. Must make a commitment to-obtain an occupation-based degree in the occupation area in which certification is sought or a degree from an approved occupation-based educator preparation degree program within six (6) years of initial provisional certification, if they do not have appropriate degree.
 - b. If applicable, must obtain and/or maintain current licensure, as part of continued employment.

3. All Instructors:

- Shall maintain current certification. It is the responsibility of the instructor to monitor the requirements for renewal and to initiate appropriate paperwork for renewal.
- The ATC Principal shall also track certification expiration dates and renewal efforts.
- Shall maintain current licensure as part of continued employment (if licensure is part of the requirement for the position.)
- Shall complete at least twenty-five (25) clock hours of professional development training annually beginning July 1 of each year. Additional details regarding certification may be found at the EPSB web site:

<http://www.epsb.ky.gov>

- Instructors who must meet specific continuing education requirements as a part of their occupational licensure obligation shall earn those hours in accordance with the administrative regulations set by the credentialing body. These hours, when completed, shall apply to the twenty-~~four~~^{five} (25~~24~~) clock hour obligation on an hour-for-hour basis, beginning July 1 of each year.

If an employee does not hold a valid certificate, does not complete the requirements for renewal, or does not complete the appropriate continuing education requirements, his employment shall be terminated. The Associate Commissioner may make a "one time" exception if the requirements could not be met due to personal illness or other just cause beyond the control of the employee. The employee may be granted one (1) year in which to obtain the requirement.

Certification and Records

CERTIFICATION RENEWAL INSTRUCTORS

- Most current certificates reflect the additional education required to renew the certificate.
- Provisional certification renewal requires completion of a [Kentucky Educator Credentialing System \(KECS\) Occupation-based renewal-CA-2](#) form. Initial issuance, renewal of or application for rank change requires completion of a [KECS Occupation-based renewal form](#). Note: these forms are NOT available in KECS. Contact the OCTE Certification officer for forms. This form is also required for ALL Area Technology Center teacher renewals/rank changes even if they have a traditional certification-CA-1 form.
- Once the instructor has completed NTI, if degree is not complete, the instructor is required to obtain six hours of relevant coursework each year and must submit an official transcript with the [KECS Occupation-based renewal form-CA-2](#).
- Principal must sign certification forms.
- Forward all documents to [the](#) OCTE certification specialist.
- ~~Part-time substitute teachers certified through the CA-4VE process must renew that certification~~ each year by June 30, by submitting a new, updated CA-4VE through the ATC office to [the](#) OCTE Certification officer ~~the Personnel/Payroll Officer~~ prior to June 30. An official transcript is **NOT** required for renewal if a transcript is on file in KECS. A substitute can be hired based on college hours/degree (at least 64 college credit hours with a 2.5 GPA.—There is no GPA requirement if they have a degree).—OR) OR based on work experience which will allow the substitute to supervise students in a shop or lab.
- -

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CERTIFICATION RENEWAL PRINCIPALS

Each five (5) year renewal after the initial certification shall require the completion of:

- Two (2) years of experience in the position for which the certification was issued; or
- Three (3) semester hours of new graduate credit related to the position for each year of experience not completed; or
- Completion of EILA hours as specified in [KRS 156.101](#) by September 1 of the expiration year.

Application for certificate renewal shall [use the KECS Occupation-Based Certification renewal form-Occupation-based renewal form](#) ~~be made on form CA-1~~. Certification Renewal Fees:

Fees shall be paid electronically through the online e-pay system at <http://www.epsb.ky.gov>

Certification and Records

MINIMUM CERTIFICATION/QUALIFICATION REQUIREMENTS - 156 APPLICANTS

TEACHER

MINIMUM REQUIREMENTS: Must hold the Rank III Kentucky teaching certificate in the subject area to be taught;

OR

Must hold a Kentucky Statement of Eligibility in the subject area to be taught;

OR

Must meet the requirements pursuant to 16 KAR 2:020.

~~Four (4) years of appropriate work experience—two (2) of which must be within the last five (5) years—~~WITH SPECIAL REQUIREMENTS AS OUTLINED FOR SPECIFIC TEACHING AREA (16 KAR 2:020).

NOTE: Certain instructional areas require additional licensure or certification for the occupational area.

Teacher—Minimum Requirements

- ~~• Must hold the Rank III Kentucky teaching certificate in the subject area to be taught;~~

OR

- ~~• Must hold a Kentucky Statement of Eligibility in the subject area to be taught;~~

OR

- ~~• Four (4) years of appropriate work experience with two (2) of those years in the last five (5) years, one (1) year of which must be in an approved long-term care facility (for health-sciences teachers);~~

- ~~• Special Requirements: (as indicated for specific teaching subject)~~

PRINCIPAL

PRINCIPAL CERTIFICATION

Area Technology Center Principals must hold one (1) of the following:

- (1) Certificate for a Career and Technical Education School Principal; or
- (2) Certificate for Instructional Leadership-School Principal; or

(3) meet other eligible EPSB principal certification options and obtain the specified minimum score on any required assessment. ~~Requirements for a Career and Technical Education Principal are as follows:~~

- ~~A. Complete a minimum of three (3) years of teaching experience in the field of Career & Technical Education;~~
- ~~B.A. Complete or be enrolled in (Option 6) an approved educator preparation program for School Career and Technical Education Principal, per 016 KAR 005:010; and~~
- ~~C.B. Obtain the specified minimum score on any assessment required by 016 KAR 006:030.~~

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Certification and Records

CREDENTIALING AND CREDENTIAL RENEWAL

Failure to obtain specified credentials as indicated for a specific area may result in the dismissal of an instructor.

In accordance with the following policy, time shall be allowed for instructors who are mandated for specific credential renewal such as RN, ASE, A+, and AWS:

- A. No more than three (3) paid workdays per school year shall be allowed for continuing education offered during a workday.
- B. The continuing education needs of the instructor shall be determined in consultation with the instructor's immediate supervisor and approved by the Office of Career and Technical Education.
- C. A written request for approval must be submitted to the Office of Career and Technical Education through the Area Technology Center and Supervisor prior to the beginning of the continuing education program.
- D. ~~A brochure or other w~~Written documentation describing the offering must be submitted with the request.

CERTIFICATION REQUIRED TO TEACH AND PAYMENT OF FEES

Automotive Technology:

- **Requirements for employment and/or continued employment** - Personal Certification is required in a Minimum of 4 (Four) Areas (**ASE**).
- **Current Policy** - These certifications are not required by the state to practice the occupation in the field but are required to teach the program, therefore, they may be paid by the Kentucky Department of Education.

Diesel Technology:

- **Requirements for employment and/or continued employment** - Personal Certification is required in a Minimum of Five (5) Areas.
- **Current Policy** - These certifications are not required by the state to practice the occupation in the field, but are required to teach the program, therefore, they may be paid by the Kentucky Department of Education.

Collision Repair:

- **Requirements for employment and/or continued employment** - Minimum Personal Certification is required in Painting and Refinishing (B2).
- **Current Policy** - These certifications are not required by the state to practice the occupation in the field but are required to teach the program, therefore, they may be paid by the Kentucky Department of Education.

Certification and Records**CERTIFICATION REQUIRED TO TEACH AND PAYMENT OF FEES (CONTINUED)****Electrical License:**

- **Requirements for employment and/or continued employment** - Minimum of a Kentucky Journeyman Electrician license or four (4) years as an Electrician in an Industrial setting with experience in single and 3-phase voltage.
- **Current Policy** - Electrical occupational license fees are required by the state to practice the occupation in the field and must be paid by the individual.

Health Sciences:

- **Requirements for employment and/or continued employment** - current RN License and one (1) year long-term care experience.
- **Current Policy** - License fees for Health Science Teachers are required by the state to practice the occupation in the field and must be paid by the individual.

HVAC License:

- **Requirements for employment and/or continued employment** – Minimum of a Kentucky Journeyman HVAC license.
- **Current Policy** – HVAC occupational license fees are required by the state to practice the occupation in the field and must be paid by the individual.

~~Information Technology~~Computer Science:

- **Requirements for employment and/or continued employment** - Cisco Academy Instructors are required to complete a training from Cisco to teach the curriculum.
- **Current Policy** - The Cisco Academy training is not required by the state to teach Computer Science pathways but the training is required to teach the Cisco Academy program, therefore, they may be paid by the Kentucky Department of Education.

Plumbing License:

- **Requirements for employment and/or continued employment** – Minimum of a Kentucky Journeyman Plumber license.
- **Current Policy** – HVAC occupational license fees are required by the state to practice the occupation in the field and must be paid by the individual.

Welding:

- **Requirements for employment and/or continued employment** -Must have AWS or be able to obtain within specified time frame.
- **Current Policy** - These certifications are not required by the state to practice the occupation in the field but are required to teach the program, therefore, they may be paid by the Kentucky Department of Education.

Certification and Records

CREDENTIAL - RENEWAL REQUIREMENTS (CONTINUED)

Health Sciences - Credential – Renewal Requirements

Instructors must possess a current RN license and keep that current.

~~**Cosmetologist – Credential – Renewal Requirements**~~

~~Applicants for renewal of current active cosmetologist instructor licensure shall earn eight (8) contact hours of approved continuing education during the period of July 1 through June 30 of each year for renewal of cosmetologists instructor license expiring on June 30 of a current licensure period. These hours must be approved by and registered with the Kentucky State Board of Hairdressers and Cosmetologists.~~

Automotive Technology - Credential – Renewal Requirements

Mandatory ASE (Automotive Service Excellence) Certification in:

1. Engine Performance
2. Brakes
3. Steering and Suspension
4. Electricity/Electronics

Master Certification Strongly Recommended

Collision Repair/Auto Body Technology - Credential – Renewal Requirements

Mandatory ASE (Automotive Service Excellence) Collision Repair Certification in Painting and Refinishing

Master Certification Strongly Recommended

Diesel Technology - Credential – Renewal Requirements

Mandatory ASE Medium/Heavy Truck Certification in following areas:

1. Diesel Engines
2. Suspension and Steering
3. Brakes
4. Electrical/Electronics
5. Preventive Maintenance Inspection

Master Certification Strongly Recommended

Certification and Records**CREDENTIAL - RENEWAL REQUIREMENTS (CONTINUED)****Welding Technology - Credential – Renewal Requirements**

Mandatory AWS (American Welding Society) certification in one (1) or more of the following:

1. Certified Welder
2. CWI (Certified Welding Inspector)
3. CWE (Certified Welding Educator)
 - Employees hired January through June have through the end of that calendar year to acquire the applicable certification
 - Employees hired July through December will have through the end of the next school year (June) to acquire the applicable certification

NOCTI–PERFORMANCE

The National Occupational Competency Testing Institute (NOCTI) performance test is given at area technology centers, universities, and/or KCTCS facilities across the state.

1. Location depends on the technical area being tested and the number of requests for a given test. If possible, test locations will be as close as possible to the individuals requesting the test.
2. Length of test varies from three (3) hours to a maximum of six (6) hours.
3. There is a fee to cover the cost of test administration. Persons wishing to test should contact the OCTE to inquire about current testing fees.
4. Test information may be found at www.nocti.org.
5. If taking for college credit, college advisor should be consulted.
6. Test registration and payment will be in advance. Refunds will only be given with written notice.
7. Contact NOCTI Test Coordinator, Office of Career and Technical Education, Frankfort.

NOCTI - WRITTEN

The National Occupational Competency Testing Institute (NOCTI) test is a component of the Teacher Testing process.

1. The test must be given at an approved NOCTI testing center
2. The test is an online multiple-choice test and is designed for an experienced worker.
3. Test with a maximum of 200 questions.
4. It is a timed test, with a maximum of three (3) hours allowable.
5. Test scores are calculated by percentage grade; each question is worth one (1) point.
6. Test information may be found at www.nocti.org.

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Certification and Records**NEW TEACHER TESTING**

Entrance exams are required for persons seeking occupation-based teacher certification if they do not have any college credit posted on an official post-secondary transcript.

Candidate must send official college transcripts (if applicable) to the KDE OCTE certification specialist. If the candidate does not have a degree, the candidate will be required to take a general knowledge exam (ACT/SAT/KYOTE/GED) and obtain a passing score.

ACT:

Reading – score of 20 or higher

Mathematics – score of 19 or higher

English (Writing) – score of 18 or

SAT:

Reading – score or 470 or higher on Evidence-based Reading and Writing

Mathematics - score of 460 or higher

English – score or 430 or higher on Evidence-based Reading and Writing

KYOTE:

Reading – score of 20 or higher

Mathematics – score of 22 or higher on College Readiness Mathematics or score of 14 or higher on College Algebra

English (Writing) – score of 6 or higher

GED College Readiness:

Reading – score of 165 or higher on Reasoning through the Language Arts

Mathematics – score of 165 or higher on Mathematical Reasoning

English (Writing) – score of 165 or higher on Reasoning through the Language Arts.

NOCTI (National Occupational Competency Testing Institute) – The NOCTI written exam may be required for certain occupational areas to further verify work experience in the area they will be teaching.

- Written, Experienced Worker Test
- Maximum of 200 Questions
- Test Score is calculated by percentage grade; each question is worth one (1) grade point
- If NOCTI is required, the exam will be scheduled by the KDE OCTEST Certification Specialist. The NOCTI requirement may be waived if the applicant has an approved industry certificate(s).

Certification and Records

NEW TEACHER TESTING (CONTINUED)

Who Has to Test:

Teacher applicants must have completed appropriate college entry tests or will be required to successfully complete appropriate written tests prior to receiving their certification. The Education Professional Standards Board (<http://www.epsb.ky.gov>) is charged with: selecting the tests; determining minimum acceptable levels of achievement on each test; and establishing a reasonable fee related to the cost of administration of the tests (such fees to be paid by the teacher applicants).

REFERENCES:

- [KRS 158.802](#)
- [016 KAR 003:080](#)
- [016 KAR 006:020](#)
- ~~[016 KAR 006:080](#)~~
- 16 KAR 8.040
- [016 KAR 009:080](#)
- ~~[201 KAR 012:055](#)~~
- [705 KAR 004:231](#)
- [780 KAR 003:140](#)

RELATED POLICIES:

03.1; 03.11; 03.114; 03.19

Adopted/Amended: 8/6/2020
Order #: XVII.A.4

Equal Employment Opportunity

As required by Title IX, the Commonwealth of Kentucky does not discriminate on the basis of sex regarding admission or in the educational programs or activities operated by the Commonwealth of Kentucky. Inquiries regarding Title IX Sexual Harassment may be referred to the Title IX Coordinator (TIXC), the Assistant Secretary for Civil Rights, or both.¹

The Commonwealth of Kentucky does not discriminate on the basis of race, color, national origin, political affiliation, sex (including sexual orientation or gender identity), genetic information, disability, age, religion, marital status, or limitations related to pregnancy, childbirth, or related medical conditions in employment practices.

Any employee who feels that he/she has been discriminated against based on any of these protected areas has the right to appeal his/her case through the established grievance procedure (Policy 03.162).

ADA AND JOB ACCOMMODATION FOR DISABLED EMPLOYEES

Kentucky State government is committed to the full implementation of the Americans with Disabilities Act (ADA). It is the policy of the Commonwealth to maximize the full inclusion and integration of people with disabilities in all aspects of employment and all programs, services, and activities.

All employees must comply with policies regarding the ADA in the following categories:

- discrimination in areas of employment,
- limiting,
- segregating and classification of employees,
- contractual or make arrangements that may discriminate against employees,
- providing reasonable accommodations,
- effective test administration, and
- no retaliation and coercion if employees exercise rights under provisions of ADA.

Additional information can be obtained from [Kentucky's Office for the Americans with Disabilities Act](#)

REASONABLE ACCOMMODATION

The Commonwealth shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

PERSONNEL

03.113
(CONTINUED)

Equal Employment Opportunity

REFERENCES:

¹34 C.F.R. § 106.8

²[KRS 161.164](#); KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII

[KRS 156.812](#)

[KRS 156.838](#)

[KRS 18A.140](#)

[KRS 161.020](#)

[KRS 207.135](#)

29 U.S.C.A. 794

29 U.S.C. section 1630.14

34 C.F.R. 104.3 - 104.14

42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)

Americans with Disabilities Act; <http://www.usdoj.gov/crt/ada/>

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICY:

03.162; 03.1621; 03.212; 03.2621

Adopted/Amended: 8/5/2021

Order #: VIII.A.1

Continuing Status

Probationary Period: New 156 hires do not acquire continuing status until the beginning of the fifth (5th) year as indicated below:

First Twelve (12) Months: *Initial Probation*

Following Thirty-Six (36) Months: *Limited Status (Renewable on an annual basis)*

Beginning the Fifth (5th) Year: *Go to Continuing Status*

A certified employee who has earned continuing status in the state certified personnel system under [KRS 156.800](#) to [KRS 156.860](#) shall be granted a continuing service contract as defined in [KRS 161.720](#) upon transfer to a local board of education. A principal who has earned continuing status prior to transfer shall be granted a continuing service contract, but the provisions relating to demotion of the principal under [KRS 161.765](#) ~~KRS 24 161.765~~ shall apply.

REFERENCES:

[KRS 156.800](#) to [KRS 156.860](#)
[KRS 161.720](#)

RELATED POLICIES:

03.1
03.112

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

Compensation and Benefits

The Kentucky Department of Education shall establish salary schedules and employee benefits for all personnel.

COBRA

At the time of initial employment an employee shall be given the first COBRA notification. Second notification and continuation of benefits shall be contingent upon the employee's notifying the district of a qualifying event.¹

TUITION WAIVER PROGRAM

~~KRS 164.020 directed that a state-wide policy be developed to allow for waiver of tuition for college credit course work for all regular, full-time employees in our Area Technology Centers. That policy allows for a maximum of six (6) credit hours per term, including summer term, at any public postsecondary institution. The Tuition Waiver Form (available on the Office of Career and Technical Education Website) must be completed by the staff member and forwarded to the Central Office for approval. A signed, approved copy will be returned to the staff member for submitting when registering for classes.~~

~~The participant in the Employee Education program shall give permission (via the Tuition Waiver Form) for the Office of Career and Technical Education to receive the following information:~~

- ~~• Course(s) taken;~~
- ~~• Classification of the course(s); and~~
- ~~• The specific amount of tuition waived.~~

~~The waiver is for tuition only. Books and lab fees are not included unless they are part of the tuition.~~

REFERENCES:

¹Consolidated Omnibus Budget Reconciliation Act

[KRS 156.812](#)

[KRS 164.020](#)

[KRS 199.555\(1\)](#)

[101 KAR 002:120](#)

[http://cpe.ky.gov/NR/rdonlyres/7320D824-A042-476A-8FC3-](http://cpe.ky.gov/NR/rdonlyres/7320D824-A042-476A-8FC3-0A8F763B3F12/0/TuitionWaiverPolicy_20060619.pdf)

[0A8F763B3F12/0/TuitionWaiverPolicy_20060619.pdf](http://cpe.ky.gov/NR/rdonlyres/7320D824-A042-476A-8FC3-0A8F763B3F12/0/TuitionWaiverPolicy_20060619.pdf)

RELATED POLICY:

03.121

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Salaries

SALARY SCHEDULES

The Minimum Salary Schedule for Certified and Equivalent Staff shall be approved by the Kentucky Board of Education annually. All certified and equivalent staff shall receive a salary increase not less than the percentage increase provided other elementary and secondary teachers.

All certified and equivalent staff shall be entitled to equivalent pay raises provided to other state employees.

EXTENDED EMPLOYMENT

The Associate Commissioner for Career and Technical Education or their designee, may request that the teacher perform other essential services for which extended employment shall be provided. The special request shall be handled on an individual basis. The duties of an ATC pPrincipal shall consist of 228 workdays between July 1 and June 30 annually, to be scheduled by the Associate Commissioner for Career and Technical Education, or their designee. The regular work year for any teacher in an ATC shall be 190 workdays to be scheduled by the ATC Principal between July 1 and June 30 annually. A teacher may be employed beyond the 190 workdays if requested and approved by the Associate Commissioner for Career and Technical Education, or their designee. To request extended employment, a teacher in an ATC shall submit a written request to the ~~teacher's ATC~~ Principal.

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PAYCHECK

Any teacher employed 190 working days may request that their salary be paid in twenty-four (24) paychecks.

DIRECT DEPOSIT

Direct deposit of state paychecks is mandatory for all new employees.

RANK CHANGES

A certified or equivalent employee shall have a salary adjustment of five percent (5%) retroactive to July 1 for educational rank changes that are confirmed by September 1 of each year.

It is the responsibility of the employee to provide the ATC Principal and Personnel/Payroll Officer with a copy of the new teacher certificate. ~~It is the responsibility of the ATC Principal to provide the Personnel/Payroll Officer with a copy of the new certificate.~~ The rank change request cannot be processed without a copy of the new certificate.

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ACCRUAL OF COMPENSATORY LEAVE AND OVERTIME

1. An appointing authority shall comply with the overtime and compensatory leave provisions of the Fair Labor Standards Act (FLSA), 29 USC Chapter 8. <https://www.dol.gov/sites/dolgov/files/WHD/publications/WH1318.pdf>.
2. A qualified An-employee who is directed to, or who requests and is approved to work in excess of the prescribed hours of duty, shall be granted compensatory leave and/or paid overtime subject to the provisions of the FLSA, and the Kentucky Revised Statutes, and this administrative regulation.
3. Compensatory leave shall be accumulated or taken off in one-quarter (1/4) hour increments.

Salaries**ACCRUAL OF COMPENSATORY LEAVE AND OVERTIME (CONTINUED)**

4. An employee who is transferred or otherwise moved from one state agency to another shall retain the compensatory leave in the receiving agency.

Teachers and Principals shall not accumulate compensatory time.

All overtime and compensatory time shall be prior approved by the immediate supervisor. Compensatory time and overtime must be prior approved using the designated Compensatory Time Approval Form. The amount of overtime or compensatory time is determined by the status of the employee/classification as exempt or non-exempt under the Fair Labor Standards Act. Employees should contact the personnel office for information regarding status as exempt or non-exempt for a specific employee/position.

Most 156 employees are classified as exempt and do not have ~~1.5the time and a half~~ option. 156 EXEMPT employees do not have the 1.5 compensatory option available to them for a regular work week, but do have the 1.5 pay option only through the dual employment position.

The 156 exempt employee earns APPROVED compensatory time on an hour-for-hour basis, when activities require that they extend their workweek beyond the thirty-seven and one-half (37.5) hours provided through KAR 7803:072.

When a teacher is requested to teach a program for industry in addition to his/her normal daily classroom assignment, a dual employment position can be requested, in advance, to facilitate payment for the separate assignment hours (see **DUAL EMPLOYMENT** section below).

Most 18A employees are eligible for overtime. Non-Exempt 18A employees **MUST** choose how they want to be compensated for time worked over forty (40) hours per week:

1. Pay at 1.5 of their hourly rate; or
2. Compensatory accrual at 1.5 hours, for every hour worked over forty (40).

Hours between thirty-seven and one-half (37.5) hours and forty (40) hours in a single workweek will be accrued as straight compensatory time of two and one-half (2.5) hours.

The choice is made for six (6) months at a time and cannot be changed until the end of that six (6) months period.

1. Employees are only eligible for ~~1.5time and a half~~ pay or compensatory time when hours “physically” worked exceed forty (40) hours in a workweek. (Compensatory time awarded for holidays, voting leave, etc. cannot be considered when calculating the 1.5 factor.)
2. An example would be Labor Day week:
 - 7.5 Holiday Hours and 30 Hours “physically” worked.
 - If the employee is authorized to work on a special project, he/she would have to “physically” work ten (10) additional hours to have physically worked forty (40) hours. Anything above ~~the forty (40) hours~~ would then fall under the ~~one and one half~~ (1.5) compensation plan applicable to the non-exempt employee.

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Salaries

ACCRUAL OF COMPENSATORY LEAVE AND OVERTIME (CONTINUED)

18A employees should refer to ~~reference~~ the current Employee Handbook ~~for further information regarding~~ ~~in reference to~~ compensatory leave time and overtime pay.

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Monitoring Compensatory Hours:

- **156:** Exempt 156 employees can only accrue up to 200 compensatory hours (anything above that is not recognized by the payroll system.) Time should be monitored and used effectively.
- **18A:** When compensatory time reaches 240 hours for a non-exempt 18A employee, the system will generate a block 50 payment for 50 of those hours. Time, work assignments and leave should be monitored.

REDUCTIONS IN COMPENSATORY LEAVE BALANCES

An employee who has a balance of at least 100 compensatory leave hours may be required to use compensatory leave before annual leave, ~~unless~~ ~~If the employee's annual leave balance exceeds the maximum that may be carried forward under 780 KAR 003:082, and shall otherwise allow the use of compensatory leave if it will not unduly disrupt the operations of the agency.~~

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- If any non-school based eligible employee's prescribed hours of duty are normally less than forty (40) hours per week, the employee shall receive compensatory leave for the number of hours worked that:
 - o Exceed the number of normally prescribed hours of duty; and
 - o Upon separation from state service, an employee shall be paid for all unused compensatory leave.
- Christmas Break and Spring School Breaks (Christmas, Fall Break, Spring Break, and other district designated breaks) – 156 Employees (780 KAR 003:080) -- With principal approval, Aan employee may either work during these periods or be on some form of approved leave. If the employee desires to work during this period, he may do so only upon the submission of a work plan by the employee and the approval of the plan by the employee's supervisor prior to the initiation of the work.
- Christmas Break and Spring School Breaks (Christmas, Fall Break, Spring Break, and other district designated breaks) – 18A Employees
With principal approval, an employee~~18A Employees~~ may take leave during Spring Break and Christmas~~such breaks~~ or be on an approved work plan.

DUAL EMPLOYMENT

When a full-time employee, primarily 156, is requested to teach a class for industry that is separate from his normal workday duties, the employee must be on Dual Employment to be compensated. This is a position, separate from the full-time position, with an hourly pay rate. The salary is based on the hourly rate of the full-time position and can go up to 1.5 times the hourly rate. This type of industry program must be cost recovery.

- Written justification is required to establish a position and appoint an employee. Justification should include program need and funding source. Forward to Personnel/Payroll Officer.

PERSONNEL

03.121
(CONTINUED)

Salaries

ACCRUAL OF COMPENSATORY LEAVE AND OVERTIME (CONTINUED)

- Dual employment is limited to 420 hours per school year.
- An alternative to dual employment would be for the school principal to utilize flexible scheduling for employees, if possible.

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PERSONNEL

03.121
(CONTINUED)

Salaries

REFERENCES:

- [KRS 18A.005](#)
- [KRS 18A.120](#)
- [KRS 18A.145](#)
- [KRS 18A.355](#)
- [KRS 156.800](#)
- [KRS 156.808](#)
- [101 KAR 003:045](#)
- [780 KAR 003:020](#)
- [780 KAR 003:065](#)
- [780 KAR 003:072](#)
- [780 KAR 003:080](#)
- ~~[780 KAR 003:082](#)~~
- [780 KAR 003:160](#)
- [780 KAR 006:005](#)
- [780 KAR 006:010](#)
- [780 KAR 006:020](#)
- [780 KAR 006:062](#)
- Fair Labor Standards Act

RELATED POLICIES:

03.11; 03.1211

Adopted/Amended: 8/3/2023
Order #: VIII.B

Salary Deductions

MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. Applicable Kentucky Retirement System;
 - **TRS** (Teachers Retirement System): Primarily serves instructors and administrators
 - **KERS** (Kentucky Employees Retirement System): Primarily serves support staff
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.;
5. Medicare (FICA) when applicable.

OPTIONAL DEDUCTIONS

The following optional payroll deductions are authorized for those employees who choose to participate:

Credit Union

State employees can participate with credit unions through payroll deduction. Additional information may be obtained from the Personnel/Payroll Officer.

Deduction Percentages

To have an additional amount/percentage of federal and/or state tax deducted from paychecks, a new W-4 and/or K-4 should be completed and forwarded to the Personnel/Payroll Officer.

Deferred Compensation

The Kentucky Deferred Compensation Authority provides supplemental retirement coverage as an option for employees. Employees pay no federal or state taxes on the portion of their income contributed to the plan until withdrawal. To enroll, employees may contact the Kentucky Public Employees Deferred Compensation Authority.

Insurance – Health - See policy 03.124.

Insurance – Life - See policy 03.124.

Insurance – Optional

There are several optional insurance plans that can be payroll deducted, (such as life, dental, etc.), provided they are on the State's approved deduction list. Employees should contact the Personnel/Payroll Officer for specific information.

KEAP (Kentucky Employee Assistance Program) - See policy 03.1291.

Savings Bonds

The purchase of Savings Bonds can be payroll deducted. Contact the Personnel/Payroll Officer for additional information.

PERSONNEL

03.1211
(CONTINUED)

Salary Deductions

OPTIONAL DEDUCTIONS (CONTINUED)

Miscellaneous Payroll Deductions

There are several miscellaneous deductions including deferred compensation, membership fees, and insurance programs that can be payroll deducted. These must be on the State's approved deduction list. Employees should contact the Personnel/Payroll Officer for specific information.

REFERENCES:

[KRS 18A.250](#)

[KRS 336.134](#)

[101 KAR-002:160](#)

RELATED POLICIES:

03.124

03.1291

Adopted/Amended: 8/3/2023
Order #: VIII.B

Holidays and Annual Leave

HOLIDAYS

All employees shall be paid for the holidays designated for state employees.

Kentucky state government observes 11.5 holidays per year (12.5 days in presidential election years.). Any employee required to work on a holiday to serve students will be compensated.

Area Technology Centers: When school is in session during a state designated holiday, teachers can be compensated.

HOLIDAY	DAY	# OF DAYS
New Years	January 1*	2
Martin Luther King Birthday	Third Monday in January	1
Good Friday	Friday before Easter	.5 (3.75 hours)
Memorial Day	Last Monday in May	1
Independence Day	July 4	1
Labor Day	First Monday in September	1
Presidential Election Day	First Tuesday in November of presidential election years	1
Veterans Day	November 11	1
Thanksgiving	Fourth Thursday in November*	2
Christmas	December 25*	2

*An extra day is given for Thanksgiving, Christmas, and New Year’s.

- A list of dates designated for specific holidays is provided annually.
- When a holiday listed above falls on Saturday, it is observed on Friday. Holidays occurring on Sunday are observed on Monday.

Holiday Pay for 156 Part-Time Employees

All part-time 156 employees in P-1 “active” **budgeted positions** with a maximum of 99 hours per month, including cost recovery positions, shall be paid half-time for holidays ~~if they are “active” employees~~. For purposes of this policy, “active” shall mean an employee who is in a P-1 position would receive pay for all or part of the pay period in which the holiday occurs.

NOTE:

- If the employee’s name is not listed on a KY Tech/OCTE Budget Sheet, **holiday pay shall not be granted.**
- 99 hour substitute teachers, called in on an emergency basis, are not considered to be in a “**budgeted position.**”

18A: [KRS 18A.190](#) provides that, “State employees shall be given a holiday on the following days:

[\(a\) The first day of January plus one \(1\) extra day:](#)

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PERSONNEL

03.122

(b) The third Monday in January;

(c) Good Friday, one-half (1/2) day;

(d) The last Monday in May;

(e) The fourth day of July;

(f) The first Monday in September;

(g) The eleventh day of November;

(h) Presidential election day as required under KRS 2.190;

(i) The fourth Thursday in November plus one (1) extra day; and

(j) The twenty-fifth day of December plus one (1) extra day. ---”

This applies to all active employees. No criteria with respect to work schedules are applicable in determining eligibility for holiday pay for full-time, part-time and interim employees.

Holidays and Annual Leave

ANNUAL LEAVE – ELIGIBLE TO EARN

- 18A employees should reference [101 KAR 002:102](#) or the current employee handbook.
- 156 employees should reference [780 KAR 003:072](#).

ATTENDANCE ACCOUNTING PROCEDURES

Employees who plan to be on annual leave or compensatory leave will have leave granted only upon **PRIOR** approval and mutual agreement between the employee and the employee’s supervisor. The ~~area technology center~~ **ATC** Principal will provide supervision and assistance for the area center staff. The next level supervisor will provide assistance and supervision for the ~~area center~~ **ATC** Principal.

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18A and 156 annual leave is converted after the December leave is calculated **and** should be **received** on February’s check.

Annual leave in excess of the maximum allowed to carry forward from one (1) calendar year to another shall be converted to sick leave. Conversion will take place in January for 156 and ~~for~~ 18A **employees**.

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Annual Leave Usage

- Leave requests should be made timely.
- Accumulated leave may be granted (as agreed to by the supervisor and employee) up to at least the amount of time earned that year, if operating requirements of the agency permit.
- An employee with at least 100 hours of compensatory time may be requested to use compensatory time before annual, unless their annual leave exceeds the amount of hours that can be carried forward.
- Annual leave shall be used in increments of hours or one-quarter (1/4) hours.

Annual Leave and Separation

1. Upon proper resignation and/or retirement an employee shall be paid a lump sum for accumulated annual leave, with exception as noted in # 6 (this section), up to the amount of maximum accumulation rate for their months of service. Leave remaining after the payment of the maximum provided will be removed from the balance and transferred to the sick leave balance.
2. An employee who is laid off shall be paid in a lump sum for all accumulated annual leave.
3. An employee changing positions with no break in service shall retain accumulated annual leave in the receiving agency.
4. An employee who has been dismissed for cause related to misconduct **or** who has failed, without proper excuse, to give proper notice of resignation or retirement ~~shall forfeit~~ **may NOT be paid for** accumulated annual leave **and will not be paid this benefit**.

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Holidays and Annual Leave

Annual Leave and Separation (continued)

- 5. An employee may request in writing that accumulated annual leave not be paid upon resignation, and that all or part of the amount that does not exceed the maximum be waived, if he resigns or is laid off because of an approved plan of privatization of services he performed, and the successor employer has agreed to credit employee with an equal amount of annual leave.
- 6. Failure of a 156 employee to give thirty (30) calendar days notice with his resignation may result in forfeiture of accrued annual leave.
- 7. Upon the death of an employee, the estate will be paid for accrued annual leave.

ANNUAL LEAVE - ELIGIBILITY FOR STATE PAID HEALTH AND LIFE INSURANCE BENEFITS

To be eligible for state paid health and life insurance benefits:

- Twelve (12) month employees must have worked or been on paid leave or family and medical leave, other than educational leave, during any part of the previous month.
- Ten and one-half (10½) month employees must have worked or been on paid leave or family medical leave, other than educational leave, during any part of the previous month, except between June 16 and July 31, when coverage is granted without regard to work and/or pay restrictions). The July 4th ~~h~~Holiday ~~a~~ffects payment of the state paid portion.
- If an employee is unable to work and uses paid leave to qualify (as outlined ~~d~~ above), paid leave days shall be used consecutively.

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REFERENCES:

- [KRS 2.110](#)
- [KRS 2.190](#)
- [KRS 18A.190; KRS 18A.195; KRS 18A.203](#)
- [KRS 156.812](#)
- [101 KAR 002:102; 101 KAR 002:106](#)
- [780 KAR 003:072; 780 KAR 006:062; 780 KAR 003:080](#)

RELATED POLICIES:

03.1232, 03.1332

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Leaves and Absences

APPROVAL

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

INSUFFICIENT LEAVE BALANCE

When an employee does not have adequate leave balance to cover a specific request, the payroll system will use other forms of leave as indicated below:

- *If an employee does not have enough annual leave balance* to cover a specific request, it converts to compensatory leave, then to LWOP (leave without pay), if insufficient compensatory time exists.
- *If an employee does not have enough compensatory leave balance* to cover a specific request, it converts to annual, then to LWOP, if insufficient annual leave time exists.
- *If an employee does not have enough sick leave balance* to cover a specific request, it converts to compensatory leave, then to annual leave, and then to LWOP, as respective leave balances are depleted.

ABSENCE WITHOUT LEAVE

Employees shall be considered to have resigned if they:

- Have been absent without leave or notice to their supervisor for ten (10) working days;
- Have been on one (1) year continuous sick leave without pay;
- ~~Have~~ been requested by the appointing authority in writing to return to work at least ten (10) days prior to the expiration of sick leave;
- Are unable to return to their former position;
- Have been given priority consideration by the appointing authority for a vacant, budgeted position with the same agency, for which they qualified and are capable of performing essential functions with or without reasonable accommodation; ~~and or~~
- Have not been placed by the authority in a vacant position.

Employees who are absent from duty without prior approval shall report the reason thereof to their supervisor as soon as they know they will be absent or no later than one (1) hour before the employee's normally scheduled ~~work-day~~workday begins. Every effort should be made by employees to contact their supervisor directly and in person. In the event that an employee is incapacitated, an employee shall designate an individual to notify the supervisor.

Unauthorized or unreported absence shall:

- a. Be considered absence without leave;
- b. Be treated as leave without pay for an employee covered by the provision of the Fair Labor Standards Act; and
- c. Constitute grounds for disciplinary action.

Supervisors of employees who are absent without leave should immediately report the absence to OCTE Central Office personnel for appropriate action.

Leaves and Absences

NOTIFICATION TO DIVISION OF RESOURCE MANAGEMENT

- Supervisors shall notify the Division of Resource Management of *Absences without Leave Approval* that extends beyond three (3) days.
- Division of Resource Management shall be kept apprised of developing situation.
- Division of Resource Management, in conjunction with the employee's supervisor, shall monitor the situation to determine if personnel action is required.
- Family Medical Leave papers shall be completed and processed as applicable.

BLOOD DONATION

All employees are permitted to donate blood at a licensed blood center certified by the Food and Drug Administration. Blood donation leave is granted for the purpose of allowing an employee to recuperate from donating; only regularly scheduled work hours (not including lunch hours) may be used for leave and compensatory time will not be granted after hours. School-based employees shall not receive blood donation leave.

FMLA

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

REFERENCES:

[780 KAR 003:072](#)

[780 KAR 006:062](#)

Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1231; 03.1232; 03.12322; 03.1234; 03.1235; 03.1236; 03.124, 03.17

Adopted/Amended: 10/2/2018

Order #: XVII.A.1

Personal Leave

NUMBER OF DAYS

Teachers and Principals shall be entitled to twenty-two and one-half (22.5) hours of personal leave at the beginning of each school year. Leave shall be used in half-day (3.75 hour) increments. An employee who makes a timely request for personal leave shall be granted personal leave by the appointing authority, up to at least the amount of time earned that year, if the operating requirements of the agency permit.

A teacher or Principal who is separated by proper resignation or retirement shall be paid in a lump sum for accumulated personal leave not to exceed twenty-two and one-half (22.5) hours.

ACCUMULATION

Any unused personal leave shall be converted to sick leave at the end of each school year.

Upon the death of an employee, the estate will be paid for accrued personal leave.

REFERENCE:

[780 KAR 003:072](#)

RELATED POLICIES:

03.121; 03.123

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Sick Leave

Full-time employees, except emergency certified employees, are eligible to accumulate sick leave. Teachers and Principals shall be credited with seventy-five (75) hours of sick leave at the beginning of each school year.

ACCRUAL

1. Eligible employees shall accrue sick leave at the rate of one (1) working day for each month of service, if the employee has worked or been on paid leave (other than educational leave) for 100 or more hours in a month.
2. Eligible employees who complete 120 months of total service shall be credited with ten (10) additional days of sick leave upon the first day of the month following the completion of 120 months.
3. Eligible employees who complete 240 months of service shall be credited with ten (10) additional days of sick leave on the first day of the month following the completion of 240 months.
4. Sick leave may be accumulated with no maximum (carry-forward) amount.
5. Accrued leave shall be credited on the first day of the month following the month in which the leave is earned.
6. In computing months of total service for the purpose of earning sick leave, only the months for which an employee earned sick leave shall be counted.
7. State employees who have been rehired shall receive credit for prior service, unless the employee had been dismissed as a result of misconduct or a violation of:
 - [KRS 18A.140](https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=1375) <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=1375>
 - [KRS 18A.145](https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=1376) <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=1376>
 - KRS 18A.990 <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=20441>
 - [KRS 156.838](https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=42189) <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=42189>
 - [780 KAR 003:072](https://apps.legislature.ky.gov/law/kar/titles/780/003/072/) <https://apps.legislature.ky.gov/law/kar/titles/780/003/072/>
8. An employee who has retired from a position covered by a state retirement system, is receiving retirement benefits, and returns to state service shall not receive credit for months of service prior to retirement. Other former employees may receive credit for prior months.
9. Part-time employees shall not be entitled to accrue sick leave.

SICK LEAVE AND MONTHS OF SERVICE

- Months of service are used to determine when the additional days of service will be added, as listed above.
- If an employee does not earn sick leave during a given month, that month will not count in the total months of service used as a basis for accrual.

Sick Leave

SICK LEAVE AND MONTHS OF SERVICE (CONTINUED)

Sick leave may be granted or required:

1. For medical, dental or optical examination or treatment.
2. If an employee is disabled by illness or injury; a doctor’s statement may be required.
3. If an employee is required to transport a member of the immediate family for medical attention for a reasonable period of time; a doctor’s statement may be required.
4. If an employee’s presence would jeopardize the health of himself or others at the work station; a doctor’s statement may be required.
5. For bereavement reasons (see policy 03.1236.).
6. For the birth, placement or adoption of a child.

TRANSFER OF SICK LEAVE

New employees who come from a local school district **without** a service break, may transfer sick leave hours and months of service from the previous employer. Months of service from a local school district will be entered into the payroll system and used in determining annual leave and sick leave accrual rates.

An employee changing positions within state government and with no break in service shall retain accumulated sick leave in the receiving agency.

An employee shall be credited for accumulated sick leave if separated by proper resignation, layoff or retirement.

SICK LEAVE USAGE

Sick leave shall be used in increments of hours or ~~of~~ in one-quarter (1/4) hours.

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If employees will need to take sick leave, they shall file a written application for non-emergency sick leave prior to the event or for emergency sick leave within a reasonable time after returning, preferably the day they return to work.

An employee shall file a written application for sick leave, with or without pay, within a reasonable time. If prior written notification cannot be given due to an emergency or other unplanned necessary absence, the employee shall notify the immediate supervisor or the designee. Failure without good cause to do this in a reasonable time shall be cause for denial of sick leave.

A medical statement may be required, signed by a licensed practitioner and certifying to the employee’s incapacity, examination or treatment.

At the termination of sick leave with pay, the appointing authority shall return the employee to his former position.

SICK LEAVE SHARING

To assist qualified state employees who have exhausted their leave balances as a result of personal illness or the extended care of someone else, employees may donate sick leave to fellow (qualified) employees.

Sick Leave**SICK LEAVE SHARING (CONTINUED)**

- *Qualifying Event:* A “medically certified illness, injury, impairment or physical or mental condition” that prevents the employee from performing job duties either personally or by needing to care for an eligible family member.
- *Eligibility to Donate or Receive:* Must be full-time and active in the payroll system. Employee must be on leave without pay for ten (10) full consecutive days to be eligible to receive contributions. All donors must retain at least 75 sick hours after the donated hours are transferred.
- *Paperwork:*
 - An application for Sick Leave Sharing must be completed by the employee requesting leave and a Sick Leave Donation Form must be completed by the ~~employee~~ contributing employee. The applicant shall be responsible for filing appropriate forms including medical certification. Recipients are responsible for monitoring their leave balances. Sick leave shall be donated in full day (7.5 hours) increments. Unused donated leave shall be restored to the donors in reverse order of donation, unless the recipient provides medical evidence that continued, periodic medical treatment relating to the original condition is required. If the recipient retires, resigns, or is terminated from employment, before the process of transferring leave begins, the leave shall be returned to the donor.
 - Paperwork should be submitted as soon as the employee is aware of a possible need AND prior to the employee running out of time. If this is done in advance and completed paperwork is on file with the appropriate ABO Payroll Officer, with all factors in place, it is feasible that the employee could be paid for the ten (10) full consecutive days of leave.
- *Workers’ Compensation:* An employee receiving workers’ compensation is eligible to receive shared sick leave to maintain a regular level of pay.
- *Participants:* Only qualifying state employees may participate. Sick leave cannot be shared with KCTCS employees or local district employees.
- Leave is subject to approval by the Associate Commissioner of the Office of Career and Technical Education
 - 156 <https://apps.legislature.ky.gov/law/kar/titles/780/003/075/>
 - 156 <https://apps.legislature.ky.gov/law/kar/titles/780/003/072/>
 - 18A <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=1389>

SICK LEAVE AND WORKERS’ COMPENSATION

Paid sick leave may be used to maintain a regular full-time salary during an absence for which workers’ compensation benefits are received. (See policy 03.1241.)

PERSONNEL

03.1232
(CONTINUED)

Sick Leave

REFERENCES:

- [KRS 18A.120](#)
- [KRS 18A.140](#)
- [KRS 18A.145](#)
- [KRS 18A.197](#)
- [KRS 18A.990](#)
- [KRS 156.090](#)
- [101 KAR 002:105](#)
- [780 KAR 003:072](#)
- [780 KAR 003:075](#)
- [780 KAR 003:160](#)
- [780 KAR 006:062](#)
- [780 KAR 006:065](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.12322, 03.1234, 03.124, 03.1241, 03.175

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Family and Medical Leave

Eligible employees shall be granted leave in compliance with [780 KAR 006:062](#), [780 KAR 003:072](#), and the Family and Medical Leave Act (FMLA) of 1993.

Employees who have completed twelve (12) months of state service and have worked or been on paid leave for at least 1,250 hours during the twelve (12) months immediately preceding the first day of family and medical leave shall qualify for twelve (12) weeks of family and medical leave without pay. Leave is awarded on a calendar year basis. This leave does not carry over from year to year. Designated forms must be completed and forwarded to the Personnel Administrator as required.

REASONS

Family and medical leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

PROCESS

- When a supervisor becomes aware of an employee's need for sick leave for a qualifying event (and the eligibility criteria is met), the supervisor shall notify the Division of Resource Management and may discuss with the employee the rights and requirements under the Family Medical Leave Act (FMLA) and provide to the employee a copy of the completed information memorandum.
- When the employee has exhausted all paid leave (including annual, compensatory and sick) or requests to retain ten (10) sick days and be placed on leave without pay, the supervisor will proceed with the FMLA designation form and the physician certification.
- When the first time sheet is submitted to payroll with unpaid leave being coded to FMLA, the supervisor or timekeeper will attach a copy of the informational letter, the original FMLA form and the physician certification as a packet.
- If an employee is not placed on unpaid family and medical leave, the supervisor will retain a copy of the information memoranda.
- The reason for denial shall be given to the employee in writing.

Family and Medical Leave**PROCESS (CONTINUED)**

- While an employee is on approved FML, the employer shall pay the state contribution for health and life insurance. In addition, the state also pays any state contribution to life insurance and Commonwealth Choice. However, the employee is responsible for their portion.

The FMLA and associated paperwork is not an option, it is required.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the agency in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The Office of Career and Technical Education and each Area Technology Center shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law and available from this web site:

<http://www.dol.gov/dol/topic/benefits-leave/fmla.htm>

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654

Code of Federal Regulations, Title 29, Part 825

[780 KAR 003:072](#); [780 KAR 006:062](#)

[OAG 17-022](#)

~~[WH 380-E Certification of Health Care Provider for Employee's Serious Health Condition:](#)~~

~~http://www.dol.gov/whd/forms/WH_380-E.pdf~~

RELATED POLICIES:

03.123, 03.1232, 03.1234, 03.1238, 03.124

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Extended Disability Leave

Sick leave without pay shall be granted for the duration of an employee's impairment by injury or illness:

- For up to one (1) year of total continuous leave; **and**
- The employee has used or been paid for all accumulated annual, compensatory and sick leave unless s/he has requested to retain up to ten (10) days of accumulated sick leave days.

Other provisions include:

- Continuous leave in excess of thirty (30) working days, excluding holidays, will result in a P-1 action.
- A doctor's statement may be required periodically as to an employee's continued inability to perform essential job duties.
- Sick leave without pay may be granted to an employee who does not qualify for family and medical leave due to lack of service time and who has exhausted all accumulated paid leave, for a period not to exceed thirty (30) working days, if the employee is required to care for a member of the ir immediate family.
- With proper notification, employees shall be returned to the original position or to one for which they are qualified and that resembles their former position as closely as circumstances permit.
- It is the responsibility of the employee to notify the employer regarding the need for reasonable accommodations and, upon request, provide supportive documentation from a certified professional.
- This policy shall be applied in a manner consistent with policy 03.113 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

REFERENCES:

Family & Medical Leave Act of 1993
Americans with Disabilities Act

RELATED POLICIES:

03.113
03.123
03.1232
03.12322

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Special Leave of Absence

If approved by the Commissioner of Education, the Associate Commissioner of the Office of Career and Technical Education may grant leave of absence for:

- Continuing education or training for a period not to exceed twenty-four (24) months. Leave may be either with pay or without. Leave shall be restricted to attendance at a college, university, and vocational or business school for training in subjects that are related to the employee’s work and will benefit the state.
- Leave not to exceed one (1) year for purposes other than specified in Kentucky Administrative Regulation and are of tangible benefit to the state.

ELIGIBILITY FOR STATE PAID INSURANCE WHILE ON SPECIAL LEAVE

1. A twelve (12) month employee who is eligible for state paid health and life insurance benefits under the provision of KRS Chapter 156 shall have worked or been on paid leave or Family and Medical Leave, other than educational leave, during any part of the previous month.
2. A ten and one-half (10.5) month employee who is eligible for state paid health and life insurance benefits under the provision of KRS Chapter 156 shall have worked or been on paid leave or Family and Medical Leave, other than educational leave, during any part of the previous month, except between the dates of June 16 and July 31.
3. A ten and one-half (10.5) month employee who is eligible for state-paid health and life insurance benefits under the provision of KRS Chapter 156 shall be entitled to state- paid health and life insurance benefits between June 16 and July 31.
4. If an employee is unable to work and uses paid leave to qualify for the state-paid health and life insurance benefits, the employee shall use paid leave days consecutively.

STAFF EXCHANGE

Staff exchange is an activity that allows the teacher to work in industry for up to two (2) weeks. ~~An exchange takes place primarily during the extended employment time frame (June 16 – July 31) as a part of an approved extended employment plan.~~ The activity shall enhance the teacher’s knowledge and is beneficial to classroom presentations. The staff exchange site shall be one that exhibits a safe and clean working environment. Staff exchange participation forms are located [in Ky Tech procedures, on the Principal’s Resource page at http://www.kytech.ky.gov/.](http://www.kytech.ky.gov/)

REFERENCES:

- [780 KAR 003:072](#)
- [780 KAR 003:080](#)
- [780 KAR 006:062](#)

RELATED POLICIES:

- 03.123
- 03.124
- 03.173

Adopted/Amended: 6/4/2014
 Order #: XXIII.B.2

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Emergency Leave

Teachers and Principals shall be entitled to twenty-two and one-half (22.5) hours of emergency leave. Emergency leave shall accumulate at the beginning of each school year.

ACCUMULATION

Any unused emergency leave shall expire at the end of each school year. Remaining emergency leave balances shall not be paid upon separation of an employee.

REASONS FOR USE

Emergency leave may be used due to death, sudden illness, sudden injury, or certain other urgent matters. Teachers and principals shall give as much advance notice as possible to their supervisor prior to using emergency leave. Emergency leave shall be used in three and three-quarter hour (3.75) increments when possible.

REFERENCE:

[780 KAR 003:072](#)

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Court Leave and Jury Leave

Employees shall be entitled to court leave during their scheduled work hours, without loss of time or pay for ~~the full~~ amount of time necessary to do the following:

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- Comply with subpoenas by any court, or administrative agency or body of the federal, or state government or any political subdivision thereof; and/or
- To serve as a juror or a witness.

This leave shall include necessary travel time. If relieved from duty as a juror or witness during normal working hours, the employee shall return to work. A copy of the legal document requiring the employee's appearance shall be forwarded to the Personnel/Payroll Officer.

Employees attending court as part of their assigned duties are not to report it as court leave.

This leave does not apply in cases where the employee or a member of his family is a party to the court or administrative proceeding.

Jury leave shall be recorded as such on the employee's time sheet.

NOTICE

Persons who will be absent from work to serve on juries or to serve as a witness must give advance notice to their immediate supervisors.

REFERENCES:

- [101 KAR 002:102](#) (18A)
- [780 KAR 003:072](#) (156)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Military Leave

Military leave will be granted to certified personnel under the provisions and conditions specified in law.

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. Any unused military leave in a federal fiscal year (October 1 – September 30) 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.

Absence in excess of this amount will be charged as annual leave, compensatory leave, or leave without pay. A copy of the orders shall be forwarded to the Personnel/Payroll Officer.

The employee is responsible for notifying his/her immediate supervisor as soon as s/he is notified of an impending military-related absence.

LONG-TERM DUTY

An employee entering military duty may be granted a leave of absence without pay for a period of duty not to exceed six (6) years. All accumulated annual and compensatory leave may be paid in a lump sum, at the request of the employee, upon receiving this leave.

REFERENCES:

[KRS 61.373](#), [KRS 61.375](#), [KRS 61.377](#), [KRS 61.394](#), [KRS 61.396](#)
[780 KAR 003:072](#)
[780 KAR 006:062](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Voting and Election Leave

State employees [\(18A\)](#) shall be given up to four (4) hours leave to exercise their right to vote, upon PRIOR request and provided the following conditions are met:

- The employee must be registered to vote.
- The employee must be scheduled to work on Election Day between the hours the polls are open (6:00 a.m. to 6:00 p.m. local time).
- The employee shall make application for voting leave prior to Election Day.
- The employee must vote either on Election Day or by absentee ballot.

~~If a Central Office employee is permitted to work and is entitled to voting leave, the employee shall earn compensatory leave on an hour for hour basis not to exceed four (4) hours, provided the additional four (4) hours do not take the employee over the compensatory leave limit. Compensatory time is awarded on Election Day or on the day the employee voted by absentee ballot.~~

All [18A](#) employees are expected to take four (4) hours of voting leave. School-based employees shall receive time off to vote. The ~~ATCCenter~~ Principal, Supervisor and Associate Commissioner for the Office of Career and Technical Education must approve exceptions for Technical Education. ~~Although~~ the employee, with approval of the supervisor, can choose whether to take leave; ~~it is up to the discretion of the supervisor whether~~ Instructors and principals may not earn compensatory time is earned. To earn compensatory time, the instructor must have students in class.

~~Compensatory time shall not be awarded for teachers without students.~~

Presidential Election Day is considered a holiday for all state employees (18A and 156). However, if local school districts served are in session and students are scheduled for classes, [18 A](#) employees may request and be approved for compensatory time for the ~~seven and one half (7.5)~~ hour workday. Instructors and principals will modify their work calendar and receive a day off later in the school year.

An employee can serve as an election officer without loss of leave time. Compensatory time above the four (4) hours for voting shall be given, up to the total of a regular workday (only for 18A employees).

REFERENCES:

[101 KAR 002:160](#)
[780 KAR 006:062](#)
[780 KAR 003:072](#)

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Insurance

HEALTH INSURANCE

Eligible employees are allocated a specific amount toward the purchase of health insurance. This amount may change annually during open enrollment. Open enrollment dates are established by the Personnel Cabinet (typically in the fall months).

State paid health insurance coverage for eligible new hires begins the first day of the month following the first full month of employment (example: individual hired May 23 is eligible to be covered by health insurance on July 1). Health insurance forms must be completed and returned to the Division of Resource Management the first week of employment or as designated during open enrollment.

Employee premiums deducted are tax sheltered.

<https://personnel.ky.gov/Pages/Kentucky-Employees'-Health-Plan.aspx>

As a result of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Medicare now supplements employer group health insurance plans. This means that if an employee chooses coverage under the state sponsored health insurance plan, Medicare will pay benefits on a secondary basis. Employees 65 years of age or over have the option of staying with the state sponsored plan or changing to TEFRA.

LIFE INSURANCE

State paid life insurance is provided for eligible employees. The state pays for coverage of \$20,000. Optional additional coverage is available through the plan. The employee must complete the necessary application. A beneficiary form is also provided.

State paid life insurance coverage for eligible new hires begins the first day of the second month following the month of employment (example: individual hired May 23, is eligible to be covered by health insurance on July 1).

ELIGIBILITY FOR STATE HEALTH AND LIFE INSURANCE BENEFITS

To be eligible for state paid health and life insurance benefits:

- Twelve (12) month employees must have worked or been on paid leave or family and medical leave, other than educational leave, during any part of the ~~previous~~ previous month;
- A teacher or Principal must have worked or been on paid leave or family and medical leave, other than educational leave, during any part of the previous month, except between the last day of school of the previous year and first day of school of the following year, when coverage is granted without regard to work and/or pay restrictions; and/or
- If an employee is unable to work and uses paid leave to qualify, paid leave days shall be used consecutively.

LIABILITY

It is highly recommended that administrative and instructional staff obtain liability insurance. [If a staff person does not currently have liability coverage, it is available through professional organizations, such as KEA and ACTE and may be available through personal insurance providers.](#)

PERSONNEL

03.124
(CONTINUED)

Insurance

UNEMPLOYMENT INSURANCE

An employee who works ten (10) consecutive weeks may be eligible to draw unemployment against the fund. This includes part-time, hourly employees.

Notice of claims shall be forwarded to the Division of Resource Management for response. Responses must be timely and within the specified time frame to avoid losing the opportunity to deny a claim.

REFERENCES:

- [KRS 156.812](#)
- [KRS 341.990](#)
- [KRS 161.158](#)
- [780 KAR 003:072](#)
- [780 KAR 006:062](#)

RELATED POLICIES:

- 03.1211
- 03.123
- 03.12322
- 03.1241
- 03.14

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Workers' Compensation

COORDINATION WITH SICK LEAVE

Paid sick leave may be used to maintain regular full salary during an absence for which workers' compensation benefits are received.

If paid sick leave is used to maintain regular full salary, workers' compensation pay benefits shall be assigned to the state for the period of time the employee received paid sick leave. The employee's sick leave shall be immediately reinstated to the extent that workers' compensation benefits are assigned.

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Travel Expense Reimbursement

~~The Kentucky Finance and Administration Cabinet handles financial management for the Office of Career and Technical Education and the Area Technology Centers. Budget and purchasing related issues are directed to that office.~~

All travel by staff shall have prior approval. Travel expense and mileage reimbursement rates, along with additional information, are outlined in the travel regulations available in the area technology centers administrative office.

Travel that requires lodging and meal reimbursement within **forty (40)** miles of the employee's work or home, whichever is closest, requires a travel waiver letter. This must be obtained in advance and approved prior to the travel dates.

Out-of-state travel must be forwarded to Frankfort for approval at least six (6) weeks prior to travel date.

The Office of Career and Technical Education follows the rules and regulations, forms and information established for all state employees:

<http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>

Reimbursement of travel expenses for non-state employees shall adhere to the following:

- Non-state employees requesting reimbursement must complete a *State Travel Reimbursement Form*
- Per diem and mileage shall be based on the state rate.
- Original receipts are required.
- The *State Travel Reimbursement Form* will be audited in the same manner as travel vouchers are audited for state employees.

CONTRACT FOR ROOMS AND MEALS FORM

The designated form shall be used to request approval for payment of a block of rooms, food and/or meeting space for a specific event. The completed form shall be submitted in advance through the normal route for financial documents to [the Central Office in Frankfort](#).

REFERENCES:

[KRS 156.812](#)

[200 KAR 002:006](#)

<http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

PERSONNEL

03.126

- CERTIFIED PERSONNEL -

Instructional Planning Time

Instructional planning time may be one (1) hour per day depending upon the schedules of the [feedersending](#) high schools. Planning time may include the following activities:

- Academic integration
- Career and college readiness emphasis
- Development of work-based learning opportunities
- Classroom/Laboratory maintenance
- Curriculum/Lesson planning
- Record keeping activities
- Program certification
- Collaboration activities
- Program assessment

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

PERSONNEL

03.1291

Employment Assistance Program

The Kentucky Employee Assistance Program (KEAP) is a confidential program for helping employees find solutions to the personal problems that may affect job performance, personal life, and general well-being. These problems may be emotional, financial, marriage/family, or substance abuse related. Employees may contact KEAP directly or, in certain instances, an employer may make that initial contact as it relates to a personnel issue.

State employees and their dependents are eligible for KEAP services, and there is no cost for its information or referral services. All personal contact with KEAP is strictly confidential as permitted by state and federal law. Employee involvement with KEAP is permitted on state time with the supervisor's prior approval. Supervisors may refer employees to KEAP when job performance deteriorates; however, participation is voluntary.

REFERENCES:

[780 KAR 003:072](#)

[101 KAR 002:160](#)

RELATED POLICY:

03.1211

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Transfer

Employees transferring within Kentucky TECH or to another state agency must provide written notice to the supervisor and the Division of Resource Management. Notice of separation by transfer via a *Voluntary Transfer or Voluntary Demotion* form that has been signed by the employee must be submitted to the employee's supervisor in written form and forwarded to the Personnel/Payroll Officer.

156: Transfer of an employee shall be accomplished in compliance with [780 KAR 003:100](#) and on a voluntary or involuntary basis. Unless an employee requests a transfer in writing, the transfer shall be deemed to have been made on an involuntary basis.

Transfer refers to a movement of any certified or equivalent employee from one (1) position to another having the same salary range and the same level of responsibility.

If an employee participating in TRS transfers to another state agency where he/she may continue to pay into TRS, the Division of Resource Management shall notify TRS that the individual has transferred and to what location.

18A: In keeping with [780 KAR 006:080](#), an employee appointed in accordance with [KRS 12.050](#) shall not be transferred. Any other employee in the unclassified service may be transferred from one (1) position to another in the unclassified service by the Commissioner of Education or designee with written notice. If the transfer is on an involuntary basis, the employee shall receive notice of the transfer.

Transfer refers to a movement of any employee from one (1) position to another of the same grade having the same salary ranges, the same level of responsibility within the classified service, and the same salary received immediately prior to transfer.

REFERENCES:

[KRS 12.050](#)

[KRS 18A.005](#)

[KRS 156.800](#)

[KRS 161.720](#)

[780 KAR 003:100](#)

[780 KAR 006:080](#)

[Voluntary Transfer or Voluntary Demotion - 156](#)

RELATED POLICIES:

03.121

03.122

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Promotion

156: An employee in the certified and equivalent personnel system may be promoted to a position of greater scope of discretion and responsibility if practical and in the best interest of the service or to the unclassified system in the Office of Career and Technical Education.

In keeping with [780 KAR 006:080](#), a continuing status employee promoted from the certified and equivalent personnel system shall retain status in the certified and equivalent system.

18A: Promotion refers to a change of rank of an employee from a position in one (1) class to a position in another class having a higher minimum salary or carrying a greater scope of discretion or responsibility.

An applicant's qualifications, record of performance, conduct, seniority and performance evaluations shall be considered in the selection of an employee for a promotion. Promotions may be inter-agency or intra-agency.

A vacant position subject to [101 KAR 003:050](#), other than an interim position, may be filled by promotion from the classified or unclassified service. If the promotion is to a position requiring approval pursuant to [KRS 12.040](#) or 12.050, approval shall be obtained prior to the effective date of the promotion.

REFERENCES:

[KRS 12.040](#)

[KRS 12.050](#)

[KRS 156.800](#)

[101 KAR 003:050](#)

[101 KAR 001:400](#)

[780 KAR 003:100](#)

[780 KAR 006:020](#)

[780 KAR 006:080](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Demotion

18A: An employee may request a voluntary demotion in writing from the agency head or his/her designee that must be authorized by law to act on behalf of the agency with respect to position actions. A copy of the request shall be placed in the employee's official file.

Demotion refers to a change in the rank of an employee from a position in one (1) class to a position in another class having a lower minimum salary range and less discretion or responsibility.

The Associate Commissioner of the Office of Career and Technical Education may make an involuntary demotion if necessary to further the best interest of the department.

156: The Commissioner of Education or designee shall demote a 1564B employee who makes a written request for voluntary demotion.

Demotion refers to a change in an employee's position to another class having less discretion or responsibility.

The written request shall:

1. Be on a completed *Voluntary Transfer or Voluntary Demotion* form; and include the following:
 - A statement of the reason for the request;
 - The effective date of the demotion;
 - Identifying information concerning the position demoted from and to; and
 - A waiver of the right of appeal concerning the demotion.
2. A copy of the request shall be placed in the employee's official file.

REFERENCES:

- [KRS 18A.005](#)
- [KRS 156.800](#)
- [780 KAR 003:100](#)
- [780 KAR 3:110](#)
- [780 KAR 006:080](#)
- [780 KAR 006:090](#)
- [101 KAR 001:345](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Supervision

Supervision shall be provided for all Kentucky TECH employees. Employees shall be informed as to whom their immediate supervisor is and to whom they will be responsible.

JOB DESCRIPTION

Each employee shall be provided a job description, which shall delineate all essential functions and the general duties and responsibilities of the position held by the employee. Job descriptions shall not be considered all-inclusive descriptions of the job but shall indicate the general parameters of the duties and responsibilities of the position. The immediate supervisor may, as needed, assign other reasonable duties to the employee.

REFERENCES:

[780 KAR 003:010](#)

[780 KAR 006:010](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Use of State Property

All Kentucky TECH personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Associate Commissioner/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using state property or facilities. State or local district property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any State or local district facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the State or local district and shall be used solely for job-related purposes.

TECHNOLOGY USE

Employees are directed to review and ~~sign the Kentucky Department of Education Acceptable Use Policy and the s applicable~~ sign all applicable Acceptable Use forms as required by the KDE and those provided by the local district managing the employee's email account within the ATC. sign thea form regarding Unlawful Access to a Computer, Reports and Records Confidential Treatment and Penalties. By signing this thes form, the employee An employee signature's indicates that he/she is aware that certain information obtained through the State computer system is confidential and must be treated in such a manner. The Acceptable Use Policy also provides KDE access to all emails sent or received through the use of agency email accounts.

REFERENCES:

<http://www.my.edcabinet.ky.gov/policies.htm#Education%20Cabinet%20Policy%20Memos>

http://www.my.edcabinet.ky.gov/Policy/EDU_01InternetandEmailAcceptableUsagePolicy.pdf

[780 KAR 003:110](#)

15-ORD-190

RELATED POLICY:

03.13216

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

PERSONNEL

03.13214

- CERTIFIED PERSONNEL -

Use of Personal Cell Phones/Telecommunication Devices

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures while on duty or working with students except with prior permission from the Principal/designee or immediate supervisor.

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

Adopted/Amended: 8/5/2015

Order #: XII

Employee Acceptable Use of Technology

All KDE employees are subject to the Kentucky Department of Education's Acceptable Use Policy and local district policy to the extent it is applicable.

ELECTRONIC COMMUNICATION

KDE employees should be aware that electronic and/or digital communications are not private and are subject to the Kentucky Open Records Act, KRS 61.870 to KRS 61.884, which establishes a right of access to public records laws. E-mail and attachments may be intercepted, read, stored, copied, modified, and/or redistributed without detection by unauthorized individuals. All e-mail messages stored on KDE network resources are the property of KDE.

KDE employees must exercise proper digital responsibility and not send unsolicited e-mail, text, or instant messages, "junk mail" or other advertising material (e-mail spam) to individuals who did not specifically request such material. Employees must not create or forward "chain letters" or other "pyramid" schemes, and should not forge, obscure, suppress or replace a user identity to represent the sender as someone else. Employees should use extreme caution when opening e-mail attachments received from unknown senders, since those attachments may contain viruses.

KDE employees are discouraged from using any mobile communication devices, including but not limited to hand-held phones, while operating any motor vehicle. This includes activities such as making phone calls, sending e-mailing, and texting or instant messaging while driving.

Agency devices and/or digital commerce activities must not be used to knowingly transmit, subscribe to, or store any data that is:

- Discriminatory or harassing
- Derogatory to any individual or group
- Obscene, sexually explicit or pornographic
- Defamatory or threatening
- In violation of any license governing the use of software
- Engaged in or for any purpose that is illegal
- Known to be incorrect
- Used for personal gain, examples below include, but are not limited to:
 - A private business
 - A non-work-related club or organization
 - To obtain money, property or services for personal or private sector use
 - Political or religious purposes
 - Gambling or gami#g
 -

ELECTRONIC FILES

KDE reserves the right, at its discretion, to review any employee's electronic files, messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other agency policies. Network data storage is intended for KDE business data; it is not intended to archive large amounts of non-business or personal data

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PERSONNEL

stored on the network or agency device. KDE further reserves the right, with management approval, to delete from agency devices any items stored in violation of this policy.

03.13216

Employee Acceptable Use of Technology**ELECTRONIC FILES (CONTINUED)**

KDE employees are prohibited from unauthorized copying or downloading of copyrighted material including, but not limited to, digitized photographs from magazines, books, the internet or other copyrighted sources, copyrighted music, video, or games and the installation of any copyrighted or licensed software for which KDE or the end user does not have an active license.

DIGITAL SECURITY

KDE employees are responsible for the security of their user accounts. Account passwords must not be revealed to or used by others. This includes family, friends or other personnel when working remotely. Passwords must be protected and should not be generic, reused, or a repeated sequence. Passwords should not be names of persons, places, or things easily identified with the user. A strong password should contain a combination of special characters, spaces, numbers, and upper- and lower-case letters.

KDE agency devices are entrusted to the employee, who is fully accountable for their use and security. KDE agency devices must be properly secured and not left unattended or vulnerable to theft. Loss of the device or unauthorized access exposes KDE to loss of confidential information as well as loss of [physical assets](#). KDE employees must promptly report any device theft or loss to the KETS Service Desk or the appropriate KDE management.

Except in situations in which explicit authorization has been granted by KDE management, KDE employees are prohibited from engaging or attempting to engage in:

- Breaching, testing, or monitoring computer or network security measures
- Circumventing user authentication or security or any host, network or account
- Circumventing Internet restrictions with anonymous proxy tools

SYSTEM AND NETWORKS

The technology systems and technical services provided by KDE are for business use to assist employees in the performance of their jobs. Limited, occasional, or incidental use of these services for non-business or personal purposes is acceptable, and should be done in a manner that does not negatively affect the business purpose of these systems. Employees are expected to maintain an awareness level of these systems and services through self-study and KDE-provided information and technology training.

KDE employees are expected to use proper digital etiquette by silencing cell phones, refraining from instant messaging on laptop computers and text messaging on cell phones. KDE employees should be aware of and use correct ergonomic practices** to maintain proper health and safety and avoid injury.

**See the Kentucky Personnel Cabinet Employee Relations' website for safety and ergonomic information.

Employee Acceptable Use of Technology

PRIVACY AND DIGITAL RIGHTS

KDE employees, contractors or other agents with work-related access to KDE employees' personal electronic files, individual e-mail files or other individually stored data, shall only access these files for the limited purposes of approved routine and required technological maintenance (if required), approved technological troubleshooting (if required) or if requested to do so through the KDE protocol for the access to individual employee electronic files.

TERMS

FTP: File Transfer Protocol is a network protocol used to transfer data from one computer to another through a network such as the Internet.

KDE Agency Devices: Desktop computers, laptop computers, Personal Data Assistants (PDAs), or Smart phones provided by the Kentucky Department of Education are considered agency devices.

Internet: The Internet is a global data computer network connecting universities, research institutions, government agencies, businesses and private users.

Intranet: An intranet is a private computer network serving a single organization or site with no access to outside users (i.e., the KDE Intranet).

Extranet: An extranet is the part of an organization's private computer network that is available to outside users (customers, vendors, or other third parties).

MOA: A Memorandum of Agreement is an agreement between KDE and school districts allowing a district employee to work for the Department of Education for a specified amount of time.

VERIFICATION

All ATC personnel must annually sign a copy of the *Acceptable Use Verification form found in Ky Tech Procedures*. This form shall be kept on file in the ATC office. This form verifies that the staff member has read the KDE Acceptable Use Policy as well as the Best Practices and Guidelines for Creating an Acceptable Use Policy located on the KDE website at:

<http://education.ky.gov/districts/tech/Pages/Acceptable-Use.aspx>

I, _____, have read the Kentucky Department of Education Acceptable Use Policy. I have also read the Best Practices and Guidelines for Creating and Acceptable Use Policy which is located at:

<http://education.ky.gov/districts/tech/Pages/Acceptable-Use.aspx>

By my signature, I am agreeing to comply with this policy and all other KDE technology policies.

Signature

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Employee Acceptable Use of Technology

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Employee Acceptable Use of Technology

REFERENCES:

[KRS 11A.020](#)

[KRS 434.840](#)

[KRS 434.845](#)

[KRS 434.850](#)

[KRS 434.851](#)

[KRS 434.853](#)

[KRS 434.855](#)

[KRS 434.860](#)

http://www.my.edcabinet.ky.gov/Policy/EDU_01InternetandEmailAcceptableUsagePolicy.pdf

User ID and Password Policy (EDU-02)

Use of State Materials and IT Resources

RELATED POLICY:

03.1321

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Gifts**ACCEPTANCE BY STATE EMPLOYEES**

It is the duty and responsibility of all supervisors to inform employees of this policy. This policy has been shared with current employees and their signature obtained on the related form indicating they understand the policy. New hires will be required to review and sign this document as part of their personnel paperwork packet. The signed document shall be included in the employee's personnel file.

Information listed below is in reference to the Statewide *Acceptance of Gifts Brochure* that outlines "what is" and "what is not" acceptable for receiving gifts offered to state employees. The content of that brochure has become policy for state government employees. The Executive Branch Ethics Commission is charged with the responsibility to monitor this issue and to insure enforcement of Kentucky's ethics law for state employees.

- "Gift" does not include gifts from family members, campaign contributions, or door prizes available to the public.
- "Directly Involved" means "to work on personally or to supervise someone who works on personally." This impacts circumstances of accepting employment with a non-state entity, if that entity does business with or is regulated by the Cabinet.
- Travel expenses, meals, alcoholic beverages and honoraria may now be accepted up to a value of \$25.00 in a single calendar year. Per [KRS 11A.045](#):
No public servant, his spouse, or dependent child knowingly shall accept any gifts or gratuities, including travel expenses, meals, alcoholic beverages, and honoraria, totaling a value greater than twenty-five dollars (\$25) in a single calendar year from any person or business that does business with, is regulated by, is seeking grants from, is involved in litigation against, or is lobbying or attempting to influence the actions of the agency in which the public servant is employed or which he supervises, or from any group or association which has as its primary purpose the representation of those persons or businesses.
- The Ethics Commission may grant exemptions for acceptance of gifts if it determines the exemption creates no appearance of impropriety.
- Statement of Financial Disclosures:
 - Must be filed within thirty (30) days after leaving public service.
 - Late filers may recover salary withheld for non-filing.
- Civil penalty for violation of ethics code is \$5000.

REFERENCE:[KRS 11A.010](#)[KRS 11A.045](#)**RELATED POLICY:**

03.1721

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

PERSONNEL

03.1324

Political Activities

Discrimination on the basis of political activities is prohibited.

Office of Career and Technical Education employees shall follow the guidelines outlined in the [KRS 18A.140](#) and [KRS 156.838](#).

REFERENCES:

[KRS 18A.140](#)

[KRS 156.838](#)

RELATED POLICY:

03.113

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

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.

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 the student's 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.

OTHER CLAIMS

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, 09.422 and/or 03.162, which addresses harassment/discrimination allegations.

REFERENCES:

[KRS 160.290](#)
[KRS-161.790](#)

RELATED POLICIES:

03.113, 03.162, 03.17, 09.422, 10.21

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Drug-Free/Alcohol-Free Workplace

The Office of Career and Technical Education is committed to providing a safe environment for its students, faculty, and staff. Kentucky TECH has defined conduct in relation to the use, possession, distribution, storage, manufacture, or sale of illegal or unauthorized drugs and being under the influence of alcohol on Kentucky TECH property or at any sponsored event. Conduct that violates this definition poses unacceptable risks and disregard for the health, safety, and welfare of members of the Kentucky TECH community and shall result in disciplinary action up to and including suspension or termination.

Being under the influence of alcohol or other drugs on the Office of Career and Technical Education’s property or any sponsored event is prohibited. The use, possession, distribution, manufacture, or sale of illegal or unauthorized drugs on the Office of Career and Technical Education’s property by employees or students is prohibited. Any student or staff member who violates these defined standards of conduct shall be subject to appropriate disciplinary action up to and including suspension or termination.

Accordingly, the Office of Career and Technical Education is in compliance with the Drug-Free Workplace Act of 1988, which requires recipients of federal funds to certify that they have met requirements designed to promote a drug-free workplace. In compliance with this Act, and at the direction of the Governor, all state employees are notified that:

- A. The unlawful manufacture, distribution, dispensation, possession or use of any controlled substance is strictly prohibited in the workplace and any employee found to be in violation will be subject to disciplinary action by the Appointing Authority for misconduct which may include sanctions up to and including dismissal from state service, in accordance with State Law.
- B. The Personnel Cabinet will continue to improve drug-free awareness programs through employee assistance and, in cooperation with state agencies, to eradicate the dangers that drugs in the workplace create for our employees. State-supported health insurance provides coverage for employees referred to or seeking treatment for drug and alcohol related problems.
- C. Compliance with drug-free workplace requirements is a condition of continued employment with State government for all state employees. Each employee is obligated, ~~on pain of disciplinary action,~~ to report any conviction he or she receives as a result of a violation of any criminal drug statute or violation occurring in the workplace within five (5) days of such conviction. As required by Federal law, the employee shall report their conviction to his/her appointing authority. Such a report is to be made to the employee’s Appointing Authority and is required by federal law, and. Additionally, ~~The~~ agency is obligated to report such conviction to the federal grantor within ten (10) days after it receives notice.
- D. Employees found to be in violation of drug-free workplace requirements may face disciplinary action up to and including dismissal or may be required to satisfactorily participate in a drug abuse assistance or treatment program.

It is the duty and responsibility of all supervisors to inform employees of this policy. Employees are advised to contact their supervisor or the Personnel Cabinet’s Employee Assistance Program at (502) 564-5788 with any questions concerning this directive.

This policy has been shared with all current employees and their signature obtained on the related form indicating they understand the policy. New hires will be required to review and sign this document as part of their personnel paperwork packet. This signed document shall be included in the employee’s personnel file.

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Drug-Free/Alcohol-Free Workplace

AGENCY STATEMENT OF SANCTIONS

Faculty and staff are subject to disciplinary action ranging from a minimum of a warning to a maximum of termination.

EMPLOYEE VIOLATIONS

On the first occurrence, proof of drug abuse by an employee shall result in referral to the Kentucky Employee Assistance Program (KEAP), suspension for ten (10) days without pay, and a report of drug abuse evidence to the police. On any further occurrence of drug abuse, an employee shall be dismissed from employment in the Kentucky TECH System. Resignations will not be accepted in lieu of dismissal.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

REFERENCES:

41 U.S.C.A. §§701-707 ([Drug-Free Workplace Act of 1988](#))
[KRS 218A.1447](#); Drug Free Workplace

RELATED POLICIES:

03.1291; 03.1325; 09.2241

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

- CERTIFIED PERSONNEL -

Domestic/Dating Violence Reporting and Education

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction- with is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to [KRS 620.030](#). This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction with has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

REFERENCES:

[KRS 209A:020](#); [KRS 209A.100](#); [KRS 209A.110](#)
[KRS 209A.130](#); [KRS 209.160](#); [KRS 211.160](#)
[KRS 403.720](#); [KRS 456.010](#); [KRS 620.030](#)

RELATED POLICIES:

09.14; 09.2211; 09.227; 09.425

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Use of Tobacco, Alternative Nicotine, or Vapor Products**SMOKING**

In compliance with federal law, there shall be no smoking within any indoor facility owned or leased or contracted for and utilized by Kentucky TECH schools for the provision of providing education or training services.

Federal law prohibits smoking within buildings that house programs providing education services to children. The term “children” means individuals who have not attained the age of eighteen (18).

The prohibition specifically states:

No person shall permit smoking within any indoor facility owned or leased or contracted for use by such person for provision of regular or routine kindergarten, elementary, or secondary education or library services to children.

Failure to comply with the prohibition is a violation of this law and any person subject to the prohibition who commits a violation may be liable to the United States for a civil penalty in an amount not to exceed \$1,000 per day each day a violation continues. The total amount of liability is not to exceed the amount of federal funds received for the year in which the continuing violations occurred.

OTHER USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

In addition, the use of any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by Kentucky TECH schools and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.¹

Adequate notice [regarding prohibited products](#) shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by Kentucky TECH schools, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by Kentucky TECH schools.

REFERENCE:

¹[KRS 438.345](#)

[KRS 438.305](#)

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

RELATED POLICIES:

09.4232; 10.5

Adopted/Amended: 8/7/2019

Order #: XVII.A.6

Outside Employment or Activities

OUTSIDE EMPLOYMENT

Kentucky TECH employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned duties and obligations.

Employees shall not perform any duties related to an outside job during their regular working hours.

If an employee does have outside employment, the employee shall complete the Outside Employment Form [provided by Kentucky Personnel Cabinet](#).

EXCEPTION

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties.¹

REFERENCES:

- ¹[KRS 61.394](#)
- [KRS 11A.040](#)
- [KRS 61.396](#)

RELATED POLICY:

03.1238

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Hours of Duty

WORKING HOURS/SCHEDULES

Full-time employees shall work thirty-seven and one-half (37½) hours per week. Each Area Technology Center Principal will be responsible for setting “realistic” work hours for employees, including scheduling secondary teachers for a minimum of six (6) hours of instructional time each day. Schedules shall be flexible to meet student demand.

Student contact hours may include a combination of the following:

- Classroom instruction
- Clinical supervision
- Laboratory supervision
- Work-based learning supervision (Cooperative Education, Internship, Shadowing, Mentoring)
- Student organization activities
- Student program advising (advisor/advisee)
- Other special assignments

Each employee will have a work schedule on file in the school office. Work schedules will be adjusted to accommodate schedules of the local district(s). In the interest of efficient operation of the schools, it may be necessary from time to time for the Principal to alter the schedule of a particular individual, class or program.

ADVERSE WEATHER

If the school district where the ATC is located closes due to inclement weather, staff in the ATC shall not report to work and the workday will be rescheduled to meet student needs. Non-traditional instruction days may be allowed at the discretion of the Associate Commissioner.

Adverse weather leave shall not be used by school-based employees when school is in session. Adverse weather leave may be used by school-based employees under extraordinary circumstances, as determined by the Associate Commissioner for Career and Technical Education

SCHOOL CLOSURE WORK PLAN

When the local school districts are closed due to professional development activities, teachers in the area technology centers shall report to work unless on approved leave or if the ATC principal determines the school will be closed. Staff shall be notified as soon as possible, and work calendars adjusted. A plan shall be developed by the teacher and approved by the principal at the beginning of the school year. (See Form, School Closure Work Plan~~School Closure Work Plan~~)

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Hours of Duty

SCHOOL CLOSURE WORK PLAN (CONTINUED)

The following is a list of approved school-related activities:

- Lesson planning
- Curriculum alignment
- Technology training
- Safety training
- Workplace violence training
- Equipment maintenance (2 days only)
- Visitation to industry
- Student organizations
- Test preparation and assignment sheets
- Staff/Advisory committee meetings
- ~~Student follow-up~~
- Program and teacher industry certification
- Updating of student records
- ~~Program assessment activities~~

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REFERENCES:

[780 KAR 003:072](#)
[780 KAR 006:062](#)

RELATED POLICIES:

03.122
03.1232
03.126
05.42

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

Health and Safety

SAFETY

It is the intent of the Officer of Career and Technical Education to provide a safe and ~~healthful~~ healthy working environment for all employees, students and clients.

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Therefore, it is the policy of the Department to emphasize safety to accomplish the Kentucky TECH mission to prepare Kentucky's current, future and emerging workforce for employment, lifelong learning and independence in a changing global economy.

It is the responsibility of the employee to do the following:

- a. Make a reasonable effort to maintain a safe and healthy work environment in his/her work area;
- b. Report accidents in a timely manner; and
- c. Apprise the supervisor of apparent health and safety hazards, ~~who the supervisor~~ shall examine the situation and take appropriate action.

When submitting accident reports, the supervisor is responsible for keeping all medically related information confidential. Such information shall not be forwarded with a safety report.

FIRST AID

For the protection of any injured person or persons, and to avoid potential for personal or administrative liability, the following shall be implemented:

- Emergency and non-emergency first aid shall be administered by a person or persons trained and certified to render first aid.
- In no case shall ointments, salves, or oral medicine be rendered except on advice of a physician.
- In no case shall any person or persons render first aid to a degree above that for which they are trained and certified.
- First aid kits should be equipped with gauze, bandages, large and small Band-Aids, bottle of peroxide, disinfectant wipes, rubber gloves, safety glasses, CPR breathing barrier, and other sterile materials required to stop bleeding and cover wounded areas and placed in each lab area.
- Fire blankets shall be placed in those areas where the potential for fire and explosion exist.

BLOODBORNE PATHOGENS CONTROL PROGRAM

1. The purpose of the Bloodborne Pathogens Exposure Control Program is to eliminate or minimize employee exposure to blood or other potentially infectious materials as detailed in the OSHA Bloodborne Pathogens Standard ([Bloodborne Pathogens - Standards | Occupational Safety and Health Administration \(osha.gov\)](#)).
2. Blood means human blood, human blood components, and products made from human blood.
3. Bodily fluids means semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

Health and Safety

BLOODBORNE PATHOGENS CONTROL PROGRAM (CONTINUED)

4. “Other potentially infectious materials” means any unfixed tissue or organ (other than intact skin) from a human (living or dead), and human immunodeficiency virus (HIV)- containing cell or tissue cultures, organ cultures, and HIV- or hepatitis B virus (HBV)- containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals.

RESPONSIBILITY FOR COMPLIANCE

The administration of the Bloodborne Pathogens Exposure Control Program shall be the responsibility of the Area Technology Center Principal. These responsibilities shall include:

1. Establishing a written exposure control program and developing a schedule for implementing the provisions of the program and OSHA Standards.
2. Developing written procedures for cleaning and handling contaminated materials and for disposing of hazardous waste generated within the facility.
3. Providing appropriate personal protective equipment that is readily accessible to identified employees.
4. Providing hepatitis B vaccines under specific circumstances as defined by an exposure determination and/or medical follow-up for exposure incidents.
5. Providing warning labels or color-coded containers for use with hazardous waste.
6. Providing training to current employees within ninety (90) days of the effective date of the program and initially to new employees and thereafter annually.
7. Developing written procedures for meeting the requirements for medical record keeping.
8. Providing for retention of medical records for the duration of employment, plus thirty (30) years.
9. Conducting an annual review of the effectiveness of this exposure control plan and updating the program as needed.

EXPOSURE DETERMINATION

OSHA requires employers to perform an exposure determination concerning which employees may incur exposure to blood or other potentially infectious materials. Exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment.). The exposure determination also lists all job classifications in which employees may be expected to incur collateral exposure. It is the ATC Principal’s responsibility to determine which job classifications or specific tasks and procedures involve occupational or collateral exposure.

PROGRAM ELEMENTS

Bloodborne Pathogen Control Plan

1. Date of Plan (~~May 2013 Template~~)
2. Copy of most recent plan on file in KDE Human Resources
3. Control Plan is reviewed annually with documentation

Health and Safety

PROGRAM ELEMENTS (CONTINUED)

Vaccination Records

- 1. Copies of vaccination records on file in ATC [\(employee\)](#)
- 2. Copies of vaccination records on file in KDE Human Resources

Declination Records

- 1. Copies of declination records on file in ATC
- 2. Copies of declination records on file in KDE Human Resources

Medical Recordkeeping File for Each Identified Employee (Maintained for the duration of employment plus 30 years)

- 1. Name and Social Security Number
- 2. Copy of Employee Hepatitis B Vaccination Status
- 3. Copy of Results of Examinations, Testing, and Follow-up
- 4. Copy of Healthcare Professional’s Written Opinion
- 5. Copy of all Information Provided to Healthcare Professional

Training Records (Records must be maintained for 3 Years)

- 1. Dates of Training
- 2. Contents/Summary of Training
- 3. Names and Job Titles of All Persons Attending the Training

PROCEDURES FOR REPORTING AND MANAGING AN EXPOSURE INCIDENT-EMPLOYEE

Time- Line <u>Timeline</u>	All ATC employees who are involved in any situation with the presence of blood or Other Potential Infectious Materials, regardless of whether a specific exposure incident occurs, must be offered the full hepatitis B vaccination series as soon as possible, but no later than 24 hours after the incident.
Time- Line <u>Timeline</u>	If an exposure incident occurs, all other post follow-up procedures according to the standard must be initiated immediately. Employer must ensure that the medical provider is familiar with and follows the recommendations for post exposure follow-up.
ATC Principal	Complete and submit Workers’ Compensation First Report of Injury. Link under Workers’ Compensation contains a list of providers from which an employee will select a physician.
ATC Principal	Complete and submit Department Cabinet Accident Report.

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PROCEDURES FOR REPORTING AND MANAGING AN EXPOSURE INCIDENT-EMPLOYEE (CONT.)

ATC Principal	Provide to the physician: 1) Copy of the Bloodborne Pathogen Control Plan, 2) Description of the affected employee’s duties as they relate to occupational exposure.
ATC Principal	Enter appropriate information into OSHA 300 Log.
<u>ATC Principal</u>	Obtain physician’s written opinion within 15 working days of the completion of the evaluation.
ATC Principal	File and retain reports in employee’s medical files.
ATC Principal	Report the incident to the Kentucky Department for Public Health, Division of Epidemiology and Health Planning.
Employee	Report the date, time, and type of exposure to first line supervisor.
Employee	Treatment in accordance with recommended guidelines, based on type of exposure.
Employee	Initiate a consent form for treatment, if indicated.
Employee	Adhere to follow-up treatment regimen and/or testing as prescribed by the physician. Follow-up will be paid for through Workers’ Compensation.

STAFF TRAINING

Each Principal shall establish a safety training program that includes a general safety orientation for all staff upon initial employment and at the beginning of each school year. Training must be provided and documented in the following areas:

- Asbestos Training
- Bloodborne Pathogens
- Crime Awareness and Campus Security
- Drills – Fire, Tornado, Earthquake, Lockdown
- Emergency Plans and Fire Prevention
- Employee Fire Extinguisher Training
- First Aid Training and First Aid Kits
- Forklift Training
- Hazardous Communications
- Lockdown Procedures
- Lockout/Tagout
- Respirator Training
- Safety Committees and Inspections
- Safety Responsibility and Accountability
- Other Training as Identified

Health and Safety

FIRE EXTINGUISHER TRAINING

According to OSHA regulations, where portable fire extinguishers have been provided for employee use, the employer shall provide annual training for employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting. This training shall be provided upon initial employment and at least annually thereafter.

The Principal shall arrange for training that satisfies these requirements for the school staff. Local fire departments, fire marshals, or a member of the staff who possesses the proper qualifications can provide training. Fire extinguishers shall be checked monthly by designated staff to ensure they are in a fully charged and operable condition. In addition, all fire extinguishers are to receive six (6) and twelve (12) month maintenance as specified in OSHA Standards and Kentucky Fire code.

FORKLIFT TRAINING

The Occupational Safety and Health Act of 1970 includes a provision that only trained and authorized operators shall be permitted to operate a powered industrial truck. Accordingly, the employer shall provide training on the proper operation of industrial trucks. Forklifts fall under the category of powered industrial trucks. ([OSHA 29 CFR 1910.178](#)) Training shall be required to clarify the differences in handling between a truck and a car, to develop safe operating habits, and reduce the risk of injury.

Training shall be provided to all employees who operate equipment covered under this OSHA standard and documentation of the training shall be kept on file in the school office. Information on what is acceptable training is available from the Division of Education and Training, Kentucky Occupational Safety and Health Program, 1047 U.S. 127 South, Suite 4, Frankfort, KY 40601, or from the KDE Safety Coordinator.

HAZARD COMMUNICATIONS PROGRAM

The Hazard Communication Standard (often referred to as HazCom) established rules for all workplaces covered by OSHA. The standard requires that information on hazardous chemicals be communicated to all employees and students.

Program Requirements:

1. A written hazard communications plan shall be in place for the safety of all employees, students, and visitors.
2. Safety Data Sheets (SDS) must be made available by chemical manufacturers and distributed to the employer. The employer shall make them available to employees. **In area technology centers, the teacher shall be responsible for providing instructions on how to read Safety Data Sheets and the proper use, handling, and health hazards of chemicals used in the program.**
3. Containers shall be labeled so employees and students can handle chemicals safely. Protective equipment shall be worn when chemicals may cause a health hazard or physical hazard. Chemicals that are not in the original container shall be properly labeled.
4. A complete inventory of all chemicals shall be prepared and available. (This inventory must be kept current.)

Health and Safety

HAZARD COMMUNICATIONS PROGRAM (CONTINUED)

- 5. All employees shall be trained annually to recognize and safely handle all chemicals at work. Training shall be provided ~~regarding~~ ~~on~~ how to read and interpret an SDS and label. Students in area technology centers shall receive the same annual training as employees. Documentation of the training shall be kept on file in the school.

All hazardous waste materials shall be stored in labeled containers. Area technology centers are classified as limited quantity generators (businesses that generate less than 220 pounds of hazardous waste per month) and may be able to dispose of hazardous materials such as mercury containing fluorescent light bulbs on site. The safest method to dispose of hazardous waste is with a company who will supply and remove solvents and other waste. In all cases, accurate records shall be kept.

Used Motor Oil Recovery and Disposal:

Waste oil shall be properly stored in labeled containers. All hazardous waste shall be disposed of in accordance with EPA regulations (not to exceed 28 gallons liquid or 200 kg, in any given month). A log to record the amount of oil added to the container shall be maintained. ~~Antifreeze shall not be added to used oil.~~ Transmission fluid, rear end grease, hydraulic fluid, and brake fluid shall be added to used oil. Each used fluid added shall be logged accordingly.

If an oil spill occurs while placing used fluids in ~~the~~ a container, Oil Dry or an other appropriate cleaning compound shall be used to clean up the spill and the residue shall be placed in a garbage container. Once the container is full filled, a certified used oil hauler shall be contacted to remove the oil. Receipts for all oil picked up shall be filed in the school office along with the log.

a. Used Oil Filters

To dispose of used oil filters, the following process shall be followed:

- Drain ~~the oil~~ and place ~~the oil~~ in a waste oil container for storage and eventual recycling.
- Drain oil filter into waste oil container and store used filter in a metal drum for recycling pickup.

b. Antifreeze

Antifreeze shall be stored in a labeled plastic container for recycling. Antifreeze shall not be mixed with used oil.

c. Mercury Containing Light Bulbs

Federal and State laws require some fluorescent lamps be treated as hazardous waste.

- Spent fluorescent lamps shall be on the list of registered hazardous waste-streams.
- Spent lamps shall be stored in protective boxes to guard against breakage.
- Boxes containing spent lamps shall be labeled **“UNIVERSAL WASTE-LAMPS.”**
- ~~The date when the first spent lamp was stored shall be the date on the box. Boxes shall be dated when first spent lamp was stored.~~
- Spent lamps may be stored for up to one (1) year before being picked up by certified hazardous waste hauler. Pickup documentation shall be kept on file.

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HAZARDOUS COMMUNICATIONS PROGRAM (CONTINUED)

- The Principal or designee shall check ~~with the following~~ for possible no cost or cost sharing opportunities for hazardous waste disposal ~~with the following entities:~~ adjacent local school districts, city and/or county government personnel in charge of waste disposal, and the company currently used ~~by the district~~ for other hazardous waste disposal.

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NOTE: Some fluorescent lamps, commonly referred to as “environmentally preferable” or “green ends” ~~may or may not~~ be approved for land-fill disposal. ~~The green ends lamps~~ do not automatically ~~comply, mean compliance~~ with EPA regulations for ~~landfill, land fill~~ disposal. Lamps ~~must, shall~~ pass the “toxicity characteristic leaching procedure” (TCLP) and the Center ~~must, shall~~ have the manufacturer’s product sheet verifying the lamps are EPA compliant for ~~landfill, land fill~~ disposal.

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d. Refrigerant Recovery

The 1990 Federal Clean Air Act requires that refrigerants used in mobile and stationary systems be recovered. Technical education teachers who do live work on equipment containing refrigerants shall have recycling recovery equipment in their program or have access to it.

Willful venting of CFC’s and HCFC’s into the atmosphere is strictly prohibited by the enforcement provision of the Clean Air Act, which carries very stiff penalties for violations. Students handling refrigerants shall be closely supervised by a teacher.

LOCKOUT/TAGOUT

OSHA has established a lockout/tagout standard (29 CFR 1910.147) to safeguard workers from hazardous energy while they are performing maintenance on machines and or equipment. The standard requires that equipment must be turned off and disconnected from the energy source prior to servicing. In addition, it further requires employers to develop written lockout/tagout procedures, provide training to all employees and students who could potentially get ~~be~~ injured, and to carry out periodic inspections (at least annually) to ensure that the energy control procedures are implemented properly.

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Lockout:

- Lockout means bringing machinery to zero energy by locking out the power.
- Each teacher shall have an assigned lock, key and lockout device. No two (2) keys shall fit the same lock.
- Notify persons using the machinery that work will be performed on the machinery.
- Electrical power shall be turned off and an assigned lockout device attached.
- Appropriate warning signs shall be placed at the controls indicating that work is being performed on the machinery.
- Protective equipment shall be worn including: ~~to include~~ goggles or; safety glasses, steel-toed shoes, etc.
- A check shall be made to make sure that the power is off and all moving parts of the machinery have come to a complete stop.
- A check shall be made to verify that all residual energy in the machine has been either

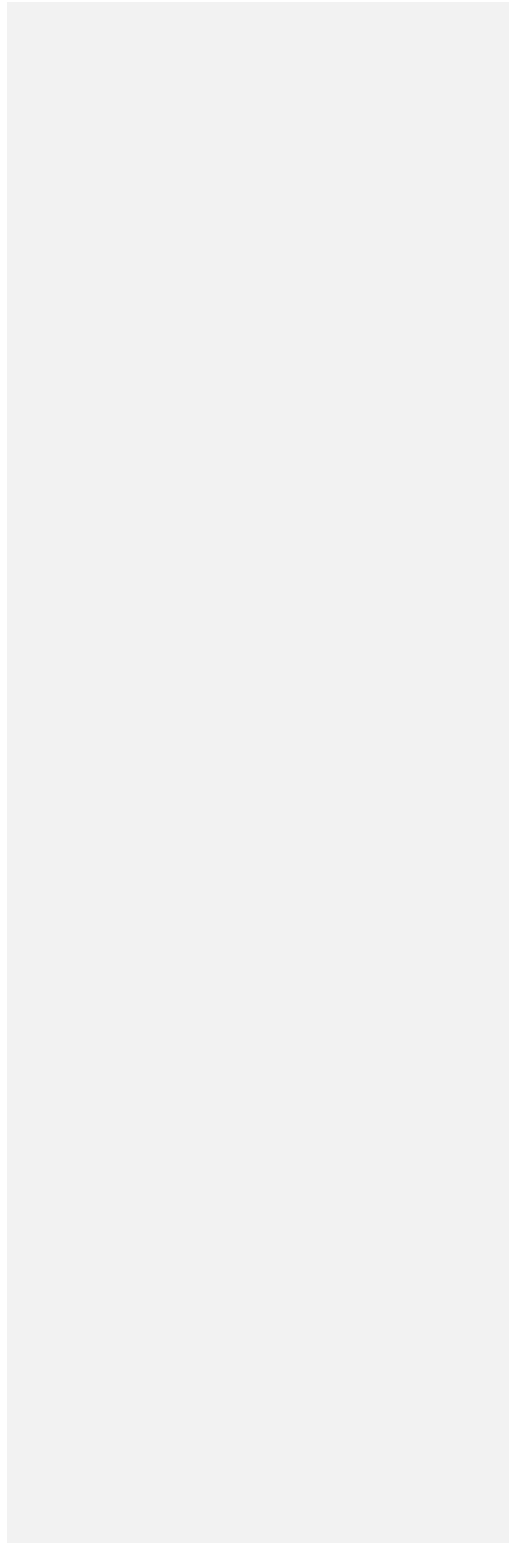
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controlled or eliminated.

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LOCKOUT/TAGOUT (CONTINUED)

- When work is completed, the work area shall be cleaned up and guards shall be replaced on machinery.
- When inspection is complete, the lockout device shall be removed and other employees and students shall be clear of the equipment before energizing the unit.
- Machinery shall be tested for proper-operation when inspection is complete.

- Tagout:
 - If equipment cannot be locked out, then it shall be tagged out.
 - A tagout device is a warning device that takes the place of a lock without providing a physical restraint.
 - Tags shall clearly identify the employee who applied them and shall not be removed except by the person who applied them.
 - Tags shall be readable and understandable and must warn against the hazardous conditions that will result if energy is restored to the machinery.
 - Most tags shall display ~~instructions legends~~ such as DO NOT START, DO NOT OPEN, DO NOT OPERATE - DANGER, etc.
 - Tags shall be made of materials that can withstand environmental conditions.
 - Tags shall be secured to energy-isolating devices so that ~~they~~ the tag cannot be detached accidentally while in use.

Each Principal shall provide designated staff with appropriate lockout/tagout devices and training. The Principal shall observe and document the designated individuals performing lockout/tagout at least annually. Each teacher shall maintain a record of machinery and equipment that falls under the requirements of lockout/tagout.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Each year, the Principal/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of an employee responsible for ~~performing an assessment of~~ assessing the workplace for hazards;
2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;
3. A training program to be conducted to educate employees about the need for PPE and when and how it must properly be worn;
4. Training of employees on the use and care of PPE, how to recognize deterioration and failure of PPE, and the need for replacement PPE; as well as and
5. Requiring employees to wear designated PPE as deemed necessary by the hazard assessment.

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ASBESTOS PLAN

Each school shall have on file in the school office an asbestos management plan (if applicable).¹ Any asbestos work done in the building shall be filed with the plan. Parents/legal guardians and employees shall be notified at the beginning of the school year that the facility has been inspected and that a management plan has been developed for any asbestos containing materials found during the inspection. This notification may be done by letter or published in the student handbook and faculty handbook. The management plan shall be available for examination ~~inspection~~ during normal business hours.

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Any custodial or maintenance personnel who may work in a building with asbestos-containing building materials (ACBM), shall have a minimum of two (2) hours of asbestos awareness training. All new ~~maintenance and custodial~~ and maintenance employees shall be provided asbestos training within sixty (60) days of hiring. Custodians and maintenance personnel ~~Maintenance and custodians~~ who will be involved in activities that have duties will potentially involving ~~involve~~ a disturbance of ACBM shall receive an additional fourteen (14) hours of asbestos training.

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EMERGENCY EYEWASH STATION STANDARDS

Eyewash stations shall be required in programs where the eyes or body of any person may be exposed to corrosive materials in accordance with [OSHA 1910.151 \(c\)](#).

Corrosive materials refer to any solid, liquid, or gaseous substance that burns, irritates, or destructively attacks organic tissues, most notably the skin, eyes, and when taken internally, the lungs and gastrointestinal tract.

The following are required guidelines for eyewash stations:

1. The eyewash station shall have the capability to deliver fifteen (15) minutes of freely flowing water at a comfortable temperature range (15-35 degrees Celsius, or 60-95 degrees Fahrenheit), a maximum inlet pressure of 30 psig, and a minimum flow of 1.5 liters per minute. The flow shall be uninterrupted and the water filtered.
2. The emergency eyewash station shall be accessible in locations that require no more than 10 seconds to reach and shall be within a travel distance no greater than 25 feet from any potential hazard, or in the nearest safe space area outside of the release area if the release could pose a further danger.
3. The valve shall be designed in such a manner that the water flow remains on without the use of the operator's hands.
4. The eyewash station unit shall be activated weekly to flush the line and verify proper operation.
5. The weekly eyewash record shall be maintained for the previous twelve (12) consecutive months to verify compliance with testing procedures.
6. Each emergency eyewash station shall be identified with a highly visible sign that the reader can easily comprehend ~~can easily be comprehended by the reader~~.
7. Instructions on proper usage shall be affixed to the eyewash station facility.

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COMPRESSED AIR REGULATIONS

[OSHA 1910.242 \(b\)](#) states that compressed air cannot be used for cleaning purposes (work surfaces) unless the pressure is reduced to less than 30 p.s.i. and then only when effective chip guarding and personal protective equipment is used. For worker safety, a brush, ~~and not compressed air, should~~ may be used to remove dust and debris from clothing, ~~and not compressed air.~~

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FALL PROTECTION

Maintenance of area technical centers and construction trades programs that may require employees and/or students to work six (6) feet above a lower level shall abide by the following OSHA standards:-

- 1926.500 Scaffolds
- 1926.500 Fall Protection

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10756

Labs with mezzanine storage, or any overhead storage areas, shall abide by the following OSHA standards:

- 1910.283 Guarding Floor and Wall Openings and Holes

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9715

[Guarding Floor Openings and Holes](#)

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- 1910.27 – Fixed Ladders

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[Fixed Ladders 1910.23](#)

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REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The Office of Career and Technical Education shall, within eight (8) hours from when reported to the employer, employer’s agent, or another employee, make an oral report to the Kentucky Labor Cabinet of the death of an employee as a result of a work-related incident, including death resulting from a heart attack.

The Office of Career and Technical Education shall, within seventy-two (72) hours from when reported to the employer, employer’s agent, or another employee, make an oral report to the Kentucky Labor Cabinet of an amputation suffered by an employee, an employee’s loss of an eye, or the hospitalization of an employee, including hospitalization resulting from a heart attack.²

OSHA 300 REPORTING REQUIREMENTS

The following OSHA reporting forms will be used:

[OSHA Form 300](#) OSHA Form 300 – Log of ~~Work-Related~~ Work-Related Injuries

[OSHA Form 300A](#) OSHA Form 300A – Summary of ~~Work-Related~~ Work-Related Injuries and Illnesses

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All worksites shall maintain an OSHA log for each separate facility/department/school on a calendar year basis (January – December).

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OSHA 300 REPORTING REQUIREMENTS (CONTINUED)

All logs and summaries shall be kept for five (5) years following the end of the calendar year to which it relates.

If there is a change in the extent or outcome of a case, the first entry shall be lined out and the new information entered.

All injuries shall be entered on the log within six (6) days after receiving knowledge that a case has occurred. If in doubt whether a case is recordable or not, it is recommended that all cases are logged, regardless of recordability. The log serves as a reference/tracking document and, in addition, an injury may not be recordable at first but may be determined recordable at a later date. It is important that all information on the logs and the IA1 reports are legible.

There are strict penalties for not complying with federal regulations regarding the posting of logs and maintaining of OSHA files. In cases of an OSHA inspection, the compliance officer will ask to review the log ~~from~~ for the previous year and may ask to review the current year's log. Employers shall provide records to an OSHA compliance officer who requests them within four (4) hours.

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To report an injury/illness, the Principal shall complete the First Report of Injury (IA-1)

The area technology center Principal~~s~~/designee shall take the following steps when reporting:

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- The supervisor shall immediately call in all state employee work-related injuries, illness and fatalities to the Personnel Cabinet/Office of Worker's Compensation.
- The electronic copy of the First Report of Injury Form IA-1 generated by Worker's Compensation will be forwarded to the Department of Labor, the supervisor, and the Division of Resource Management.
- The supervisor shall obtain the signature of the injured employee (back side of IA-1 First Report of Injury or Illness Report) that relates to fraudulent claims and mail to Worker's Compensation at the following address:
Worker's Compensation Branch, Cabinet for Personnel, Suite 4, 1047 U.S. Highway 127 South, Frankfort, KY 40601.
- The hard copy of the IA-1 shall be kept on file (not in a personnel file) at the worksite, with the information recorded on the OSHA Form 301 and 300 Log.

OSHA 300-A SUMMARY OF WORK RELATED INJURIES AND ILLNESS

At the end of each calendar year, ~~the~~ Occupational Safety and Health Administration (OSHA) requires each covered location to review the OSHA 300 Log for completeness and accuracy and to prepare an Annual Summary of the OSHA 300 Log using the form OSHA 300-A (Summary of Work Related Injuries and Illness).

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The summary must be certified by the ATC Principal for completeness and accuracy, ~~and completeness and~~ The summary shall then be posted in the facility by February 1 of the year following the year covered by the summary. ~~And the~~ The summary must remain posted until April 30 of the year in which it was posted.

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Preparing the OSHA 300-A Summary of ~~Work-Related~~ Work-Related Injuries and Illness requires four steps:

1. Reviewing the OSHA 300 Log;

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2. Computing and entering the summary information on the OSHA 300-A;

Health and Safety**ACCIDENT REPORTING (CONTINUED)**

3. OSHA 300-A is certified as indicated on the form;
4. Summary must be posted in a conspicuous place where notices are customarily posted.

The OSHA 300 Log and OSHA 300-A Summary are based on the actual number of employees at the ~~worksite~~worksite, and both must be maintained even if the facility had no recordable accidents for the year.

SUBMISSION OF OSHA 300-A SUMMARY

Each ATC Principal shall forward to the KDE Safety Coordinator in the Division of Resource Management a copy of the completed and signed OSHA 300-A Summary by January 15.

KDE Accident Report

Every work related or workplace injury (students, employees, vendors, visitors, and customers) occurring in a Kentucky Department of Education facility, regardless of its severity, must be investigated and reported on the Department of Education Accident Report.

The original Accident Report is maintained on file in the ATC with a copy~~originals~~ sent to the KDE Safety Coordinator and Division Director.

Workers' Compensation First Report of Injury or Illness (IA-1)

For Workers' Compensation benefits, there is only one requirement of the employee—to “notify his/her supervisor as soon as practicable after happening thereof” (KRS 342:038). When a supervisor has knowledge of a ~~work-related~~work-related injury or illness or alleged injury or illness to one of his/her employees, it is the supervisor's responsibility to obtain all pertinent information and complete Workers' Compensation First Report of Injury or Illness (IA-1). The supervisor responsible will enter the IA-1 online for submission directly to the Workers' Compensation Branch at the following link:

~~https://personnel.ky.gov/_layouts/15/FirstReportofInjury/reportinjury.aspx~~
<https://personnel.ky.gov/first-report-of-injury> or the supervisor may call 502-564-6846, 502-564-6847, or 1-888-860-0302.

REFERENCES:

¹[401 KAR 058:010](#): 40 C.F.R. Part 763

²[803 KAR 002:181](#)

Kentucky Department for Public Health
Centers for Disease Control and Prevention
Kentucky Labor Cabinet; [803 KAR 002:308](#); [803 KAR 002:404](#)
OSHA 29 C.F.R. 1910
132 PPE Hazard Assessment
134/ Protective Breathing Devices
147 Lockout/Tagout
151/ Eyewash Stations
157 Portable Fire Extinguishers
178 Forklift Training
242/Compressed Air
1001 Asbestos-ACBM
1200 Hazard Communication

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1030 Bloodborne Pathogens

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9806

Supervisor's Guide to Biohazards in the Workplace

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RELATED POLICIES:

05.4; 05.41; 05.411; 05.42; 05.43; 05.47; 05.5; 09.22; 09.224

Adopted/Amended: 8/3/2022
Order #: VIII.A.

Personnel Records

Each supervisor shall keep true and accurate work records of all employees.

CONFIDENTIAL TREATMENT OF RECORDS AND REPORTS

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, are not open for public inspection.²

Information contained within an employee’s record is confidential and shall not be published except for those incidences provided by the Kentucky Open Records Act.

ADDRESS AND NAME CHANGE

Each employee is responsible for notifying the Area Technology Center Office and the respective retirement system of address and name changes.

The school office will notify the Division of Resource Management of the change.

MEDICAL INFORMATION

Medical information shall be maintained separately from an employee’s personnel file.

District acquisition and disclosure of applicant and employee genetic information shall comply with applicable legal requirements.

REFERENCES:

¹[KRS 61.884](#), [KRS 61.876](#)

²[KRS 61.878](#)

[KRS 18A.020](#)

[KRS 18A.145](#)

[KRS 341.190](#)

[KRS 156.814](#)

[704 KAR 003:370](#)

[780 KAR 003:090](#)

[780 KAR 006:070](#)

Genetic Information Nondiscrimination Act of 2008

[KRS 61.870](#); [KRS 61.872](#); [KRS 61.874](#); [KRS 161.151](#)

Americans with Disabilities Act; (P.L. 101-336); 42 U.S.C. 12112

RELATED POLICY:

03.111

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Grievances

PROCEDURES

All questions, related concerns, paperwork should be directed to the Office of Career and Technical Education Ombudsman.

A grievance is a complaint filed by an employee which concerns some aspect of the employee’s conditions of employment and over which the Cabinet or Office of Career and Technical Education has control. A grievance shall be filed within thirty (30) calendar days of the occurrence or discovery of the event.

There are two (2) ways of presenting a grievance: informal and formal.

1. The informal process involves verbal communication with the supervisor in an effort to resolve the situation. If necessary, the next level of supervision and/or the ombudsman shall be included in an effort to resolve the issue(s).
2. ~~Occasionally, employees are faced with situations that cannot be resolved through the informal complaint process. In such cases, the~~ An employee may wish to file a formal grievance with his/her agency instead. Administrative regulations provide for an employee grievance procedure. This procedure allows many serious matters to be resolved in-house through a formal structure.

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An employee who believes that he/she has been subjected to unfair or unjust treatment concerning employment conditions has the right to present a problem or complaint through the grievance process. An employee shall be entitled to file a grievance without interference, coercion, discrimination or reprisal.

A state employee shall not use state time, equipment, materials, or personnel in pursuing a grievance.

156 GRIEVANCE PROCEDURES

A grievance concerning an action that is directly appealable to the Kentucky Technical Education Personnel Board ([780 KAR 003:130](#)) may also be filed with the Office of Career and Technical Education (OCTE). The filing of a grievance with the ~~Office of Career and Technical Education~~ OCTE does not prohibit the employee from also filing an appeal with the Kentucky Technical Education Personnel Board; however, it does not extend the thirty (30) calendar day appeal period. Employees shall be informed of this procedure and any modifications to its levels of review as approved by the Appointing Authority.

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The approved 156 Grievance Form shall be used for filing all grievances, including those related to EEO, ADA, etc.

Process:

- Unless the immediate supervisor is the basis for the grievance, a grievance shall be filed with the employee’s immediate supervisor within thirty (30) calendar days of the date of occurrence or the employee becoming aware of the action that is the subject of the grievance.
- The employee shall record, in writing on the appropriate form, the basis for the grievance, and indicate the action desired to resolve the situation. Additional information may be attached, if necessary.

Grievances

156 GRIEVANCE PROCEDURES (CONTINUED)

- The recipient of any grievance that alleges discrimination on the basis of race, color, national origin, sex, genetic information, disability, religion, marital status, or age forty (40) or over, shall notify the ombudsman, ~~Office of Career and Technical Education~~ OCTE to comply with the affirmative action plan.
- Interviews conducted by supervisors and/or the ombudsman with the grievant or other employees to evaluate or investigate the grievance outside of normal work hours shall entitle those employees to compensatory time and shall not require use of leave time.
- Both parties may have a representative present at each step of the grievance process.

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Grievance Levels:

Except as noted in three (3) below; the immediate supervisor shall, upon investigation, issue findings and a decision in writing to the employee within ten (10) working days after receipt of the grievance.

1. If the first line supervisor is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within five (5) working days of receipt of the decision to the second line supervisor.
2. If the division director is the first line supervisor, the request for review shall automatically be requested from the ombudsman for the ~~Office of Career and Technical Education~~ OCTE.
3. If an act of the immediate supervisor is the basis for the grievance, the immediate supervisor shall not investigate or issue findings or a decision. The grievance shall be investigated by the second line supervisor, with subsequent appeals available.
 - a. The second line supervisor shall, upon investigation, issue findings and a decision in writing to the employee within ten (10) working days after receipt of the grievance.
 - b. If the second line supervisor is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within five (5) working days of receipt of the decision to the ombudsman.
 - c. If the ombudsman is unable to mediate the grievance to the satisfaction of the employee, the employee may request review of the grievance within five (5) working days of receipt of the decision to the Associate Commissioner of the ~~Office of Career and Technical Education~~ OCTE or his/her designee for final determination.
 - d. The Associate Commissioner, upon investigation, shall issue findings and a final determination in writing to the employee within ten (10) working days.

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Grievances**156 GRIEVANCE PROCEDURES (CONTINUED)**

4. If the next level is the Division Director, he/she shall, upon investigation, issue findings and a decision in writing to the employee within the (10) working days after receipt of the grievance. If the Division Director is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within five (5) working days of receipt of the decision, to the Ombudsman for the ~~Office of Career and Technical Education~~ OCTE.
5. If the ombudsman is unable to mediate the grievance to the satisfaction of the employee, the employee may request review of the grievance within five (5) working days of receipt of the decision, to the Associate Commissioner. The Associate Commissioner upon investigation shall issue findings and a final determination in writing to the employee within ten (10) working days.
6. Failure of supervisory or management to respond within prescribed time limits shall be grounds for the advancement of the grievance to the next review level, unless the time limits have been extended by agreement of both parties.
7. Any intermediate grievance level may be waived by written agreement of the parties.

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18A GRIEVANCE PROCEDURES

Grievances concerning an action that may be appealed directly to the Personnel Board under [101 KAR 001:345](#) may also be filed with the Kentucky Department of Education or the Office of Career and Technical Education. The filing of a grievance with the cabinet or agency does not prohibit the employee from also filing an appeal with the Personnel Board, or extending the statutory appeal period.

The center principal shall be responsible for informing all 18A employees of the provisions of [101 KAR 001:375](#) at the time of their employment, as well as reviewing all revisions to the regulation approved by the Personnel Board. Employees should receive a copy of the grievance form and/or be reminded annually how to obtain a copy at the school level or other locations. Grievance forms may also be inspected, copied or obtained at the Personnel Board, 8:00 a.m. to 4:30 a.m., Monday through Friday.

Process:

1. A grievance shall be filed with the employee's immediate supervisor within thirty (30) calendar days following the occurrence or discovery of the event.
2. If the action or conduct of the first line supervisor is the basis of an employee's grievance, the grievance may be filed with the second-line supervisor.
3. An employee shall state in writing the basis of the grievance or complaint together with the corrective action desired. Additional information or documentation may be attached.

Grievances

18A GRIEVANCE PROCEDURES (CONTINUED)

- 4. If a grievance is filed that alleges discrimination on the basis of race, color, religion, national origin, sex, genetic information, disability, age forty (40) or over, the recipient of the grievance shall immediately notify the Associate Commissioner of the ~~Office of Career and Technical Education~~ OCTE and the ombudsman, Office of Equal Employment Opportunity (EEO), ~~OCTE/Office of Career and Technical Education~~ to comply with the affirmative action plan.
- 5. Interviews to evaluate or investigate the grievance outside of normal work hours, with the grievant or other employees shall entitle them to compensatory time.
- 6. Interviews to evaluate or investigate the grievance held with the grievant or other employees shall not require the use of leave time.
- 7. Both parties shall be given the opportunity to have a representative present at each step of the grievance procedure.

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Grievance Levels:

The person with whom the grievance is filed shall, upon investigation, issue findings and a decision in writing to the employee within five (5) workdays after receipt of the grievance. If the responding supervisor is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of the decision to the next appropriate level.

If the line supervisors are unable to resolve the grievance to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of decision of the final line supervisor, by the appointing authority who, upon investigation, shall issue findings and a final determination in writing to the employee within ten (10) work days.

An intermediate grievance level may be waived by written agreement of the parties.

Unless the time limits have been extended by agreement of the parties, failure of supervisory or management personnel to respond within prescribed time limits shall automatically advance the grievance to the next review level.

KRS 18A employees should refer to their personnel handbook for specifics relating to the process.

EXCEPTION

Harassment/Discrimination allegations shall be governed by Policy 03.162.

REFERENCES:

- [KRS 156.808](#); [KRS 156.820](#)
- [101 KAR 001:345](#); [101 KAR 1:375](#)
- [KAR 001:375](#)
- [780 KAR 3](#)
- [780 KAR 003:130](#); [780 KAR 006:100](#)

Grievance – 156; Grievance – 156 – Appeal Form

Field Code Changed

RELATED POLICY:

03.162

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Harassment/Discrimination

APPLICABILITY

This policy applies to all employees, students, clients and contract personnel doing business with the Office of Career and Technical Education (OCTE).

The ~~Office of Career and Technical Education~~ OCTE is committed to maintaining an educational and work environment that is free from harassment and violence on the basis of sex (including sexual orientation or gender identity), genetic information, race, color, national origin, disability, age forty (40) or over, religion, marital status, limitations related to pregnancy, childbirth, or related medical conditions, or any other basis prohibited by federal, state, or local law, ordinance, or regulation involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

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Accordingly, the ~~Office of Career and Technical Education~~ OCTE strictly prohibits any form of harassment, discrimination or violence on the basis of any of the protected areas mentioned above. Complaints of such conduct shall be investigated in a prompt, effective and uniform manner. Appropriate action shall be taken to correct and prevent reoccurrence of the harassment/discrimination behavior.

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DEFINITION

Discriminatory harassment is any conduct that, by reference to any of the aforementioned protected areas, intentionally or recklessly abuses, ridicules or disparages a person or persons so as to adversely affect their work performance, academic performance, or service received from the ~~Office of Career and Technical Education~~ OCTE.

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PROHIBITED CONDUCT

State law specifically prohibits unwelcome sexual advances, requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; or other verbal or physical conduct of a sexual nature that has the purpose of or creates a hostile or offensive environment.

Examples of prohibited sexual harassment behavior include, but are not limited to:

1. Negative or offensive comments, jokes, or suggestions about an individual's gender or sexuality;
2. Sexual innuendo, including embarrassing comments or terminology addressed to a specific employee;
3. Vulgar or indecent gesture, language or joke;
4. Bringing or displaying a sexually suggestive object, book, magazine, photograph, cartoon, calendar or picture in the workplace;
5. Use of the computer to transmit, solicit, display or download obscene messages or material;

Harassment/Discrimination

PROHIBITED CONDUCT (CONTINUED)

6. Threatening, demeaning or offensive conduct directed toward an individual because of his/her gender;
7. Unwelcome sexual advances, request for sexual favors, or sexually motivated physical conduct/contact;
8. Slang names or labels such as “honey”, “sweetie”, “boy”, “girl” that others find offensive;
9. Commenting about or calling attention to an individual’s body, attire or sexual characteristics in a negative or embarrassing way; or
10. Ridiculing, ignoring or not taking seriously an individual who experiences sexual harassment.

Examples of prohibited racial harassment behavior include, but are not limited to:

1. A physical act of aggression or assault upon another individual because of race, color, or national origin;
2. Unwelcome verbal harassment or abuse; or
3. Unwelcome behavior or words directed at an individual because of race, color, or national origin.

Examples of prohibited religious harassment behavior include, but are not limited to:

1. Physical conduct related to an individual’s religion;
2. Verbal conduct related to an individual’s religion; or
3. A physical act of aggression or assault upon another because of religion.

REPORTING RESPONSIBILITY

Employees subjected to harassment or other prohibited behavior shall report the harassment to their supervisor.

Individuals other than employees who need to register a complaint about harassment, are encouraged to seek the aid of an EEO Counselor at the ATC, or the ~~Office of Career and Technical Education~~ **OCTE** Ombudsman.

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CONFIDENTIALITY

The privacy of the complainant and the accused harasser shall be protected to the fullest extent permitted by the circumstances. An individual interviewed in the course of resolving the complaint shall be cautioned to treat the information as confidential. Breach of this confidentiality directive shall be grounds for disciplinary action.

RETALIATION

Retaliation by or against any party involved in a complaint shall be strictly prohibited. Retaliation shall be grounds for disciplinary action in and of itself.

Harassment/Discrimination

FALSE ACCUSATION

If a complaint is filed falsely and maliciously, or if it is learned that false information is provided to anyone in the course of an investigation, disciplinary action shall be taken.

QUESTIONS OR CONCERNS

Questions or concerns regarding this policy should be addressed to an employee's supervisor or the individual authorized to handle discrimination matters.

OTHER CLAIMS

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, 03.113, 03.1325 and/or 09.422.

REFERENCES:

[KRS 18A.140](#)

[KRS 156.020](#)

[780 KAR 003:120](#)

[780 KAR 3:072](#)

[KAR 003:072](#)

[42 USC 2000e.](#)

42 USC 2000e, Civil Rights Act of 1964, Title VII, KRS Chapter 344

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations
Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

Genetic Information Nondiscrimination Act of 2008

Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

H.R. 1065 (EH) - Pregnant Workers Fairness Act

RELATED POLICIES:

03.11; 03.113; 03.1325; 03.16; 09.422; 09.42811

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

~~- CERTIFIED PERSONNEL -~~

Title IX Sexual Harassment

INTRODUCTION AND SCOPE

A United States Department of Education regulation published on May 19, 2020, defines sexual harassment for purposes of Title IX (sometimes referred to in policy and procedure as “Title IX Sexual Harassment”). In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply (including the initiation of a “formal complaint”) before there is a determination that an employee is responsible for “Title IX Sexual Harassment”. The applicable definition of sexual harassment describes serious sexual misconduct. If the alleged actions that are the subject of a formal complaint do not ascend to the level of conduct described in the definition of Title IX Sexual Harassment; do not take place in a “program or activity” of the School within the meaning of Title IX; or do not take place in the United States, the formal complaint must be dismissed.

Such a dismissal does not mean that the alleged offending party cannot be the subject of investigation or discipline on grounds other than “Title IX Sexual Harassment” as addressed in Board policy or law, including conduct allegedly constituting sexual harassment or other sexual misconduct that does fall within the definition of “Title IX Sexual Harassment.”¹

PROHIBITION

Title IX Sexual Harassment in educational programs or activities of the School is prohibited.

GRIEVANCE PROCEDURE

The School shall provide a Title IX Sexual Harassment grievance procedure that treats complainants and respondents equitably as required by Federal Regulation.²

DEFINITIONS

TITLE IX SEXUAL HARASSMENT

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School’s education program or activity;
- 3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.³

Title IX Sexual Harassment

DEFINITIONS (CONTINUED)

TITLE IX SEXUAL HARASSMENT (CONTINUED)

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Consent

“Consent” means a voluntary expression of willingness, permission, or agreement to engage in sexual activity throughout a sexual encounter. Consent cannot be granted by an individual: who is less than the statutory age of consent under Kentucky criminal law, has a mental or physical condition or incapacity that prevents the giving of consent; or from whom ostensible “consent” is extracted through threat, coercion, or forcible compulsion.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This applies to such individuals even if no formal complaint is filed. Only a complainant who is participating or attempting to participate in the School’s educational programs or activities may file a formal complaint.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. This applies to such individuals even if no formal complaint is filed. Only a person in his or her individual capacity is subject to a Title IX investigation.

Title IX Coordinator (TIXC)

The TIXC is the individual or individuals designated and authorized to coordinate School Title IX programs. The TIXC is expected to engage in activities intended to provide a fair and neutral process for all parties, including implementation of supportive measures and remedies where appropriate. The School may use co-coordinators and/or deputy coordinators.

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****Formal Complaint**

“Formal complaint” means a document filed by a complainant or signed by the TIXC alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. A formal complaint may be filed with ~~the TIXC~~ TIXC in person, by mail, or by electronic mail, ~~by~~ using the contact information provided by the School. The complaint document may be physical or electronic, shall contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. Where the TIXC signs a formal complaint, the TIXC is not “the complainant” or otherwise considered a party; but is to comply with applicable procedures.

Supportive Measures

“Supportive measures” mean nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, unilateral restrictions on contact that are not unreasonably burdensome on a respondent, changes in work or housing locations, authorized leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures shall be confidential, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The TIXC is responsible for coordinating the effective implementation of supportive measures.

Education Program or Activity

“Education program or activity” means School operations and includes locations, events, or circumstances over which the School exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

Preponderance of the Evidence

“Preponderance of evidence” means evidence that is of greater weight or more convincing than an asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

REGULATION AND POLICY DOES NOT AFFECT PARENT RIGHTS

Absent a court order or other legal requirement to the contrary, a parent or guardian is authorized to act on behalf of a minor student regarding decision-making and the exercise of rights under the Title IX Sexual Harassment policy and procedure, including the opportunity to accompany a minor student to meetings and interviews.

Title IX Sexual Harassment

SEGREGATION OF FUNCTIONS / CONFLICT OF INTEREST

The TIXC, investigator, decisionmaker(s), and any informal resolution facilitator shall not have a conflict of interest or bias for or against complainants or respondents generally or ~~against~~ an individual complainant or respondent. These individuals are to serve impartially without prejudgment of the facts at issue. The investigative, initial decision-making, appellate decision-making, and resolution functions must be performed by different trained individuals, who may be ~~School-school~~ employees or contractors.

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CONFIDENTIALITY

With respect to its administration of Title IX Sexual Harassment policies and corresponding procedures, the ~~School-school~~ must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under FERPA⁵, required by law, or to carry out Title IX purposes, including the conduct of any investigation, hearing, or Title IX judicial proceedings.

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Investigative evidence directly related to the allegations of a formal complaint gathered by the ~~School-school~~ is subject to inspection and review by the parties but is not to be disseminated to the public. The United States Department of Education rule commentary provides that under the applicable FERPA definition of "education records" a parent of a complainant or respondent (or eligible student) has a right to inspect and review any witness statement that is directly related to the student, even if that statement contains information that is also directly related to another student, if the information cannot be segregated or redacted without destroying its meaning.⁴

EMPLOYEES SHALL REPORT

Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse, ~~pursuant to~~ Policy 09.227, or a reportable criminal offense, ~~pursuant to~~ Policy 09.2211, notification of state officials shall be made as required by law.⁶

FALSE REPORTS PROHIBITED

Employees or students who intentionally make false reports related to the ~~School's~~ ~~school's~~ administration of this policy and the corresponding procedures, are subject to disciplinary sanctions under applicable ~~School-school~~ policy, law, or the Code of Acceptable Behavior and Discipline.

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Title IX Sexual Harassment

RELATED EVIDENCE RULES SUMMARY

The following rules apply to the ~~School~~ school investigation and grievance process under the Title IX Sexual Harassment regulation:

- a) The ~~School~~ school shall not require, allow, rely upon, or otherwise use questions or evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
- b) The ~~School~~ school cannot access, consider, disclose, or otherwise use a party’s records made or maintained in connection with provision of treatment to the party by medical or mental health professionals or paraprofessionals unless the ~~School~~ school obtains written consent from the party.
- c) Questions and evidence about the complainant’s sexual predisposition or prior behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct or, such questions or evidence are offered to prove consent.

RETALIATION PROHIBITED

No ~~School~~ school or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any Title IX investigation, proceeding, or hearing.

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REFERENCES:

- ²34 C.F.R. § 106.45
- ³[KRS 510.020](#)
- ⁴85 Fed. Reg. 30433 (May 19, 2020)
- Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)
- Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)
- Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
- Clery Act (20 U.S.C. §1092(f)(6)(A)(v))
- Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v))
- 34 U.S.C. § 12291(a)(10)
- 34 U.S.C. §12291(a)(3)
- 34 U.S.C. §12291(a)(8)

RELATED POLICIES:

- ¹03.162; 09.42811
- ⁵09.14
- ⁶09.227; 09.2211
- 09.428111

Adopted/Amended: 10/7/2020
Order #: XIII.A.5

Termination/Nonrenewal/Separation by Employee

DISCIPLINARY ACTIONS

All inquiries about and actions concerning disciplinary actions shall be directed through the Division of Resource Management.

Except as otherwise provided in this policy and related regulations, the tenure of an employee in the certified and equivalent personnel system shall be on-going during good behavior and the satisfactory performance of his duties. The appointing authority may discipline employees for lack of good behavior or the unsatisfactory performance of duties. Lack of required behavior or the unsatisfactory performance of duties include, but are not limited to, the following:

1. Insubordination, including but not limited to violations of lawful rules and regulations established for the operation of schools and central office in the Department of Education and refusal to recognize or obey the school Principal or any other supervisory personnel within the department in the performance of assigned duties;
2. Immoral character or unbecoming conduct;
3. Inefficiency, incompetence, or neglect of duty when a written statement identifying the problems or difficulties has been furnished the individuals involved, including but not limited to instances involving:
 - a. Chronic absenteeism or excessive tardiness;
 - b. Inability to control students or exert appropriate supervision of subordinates;
 - c. Inappropriate discipline of students or treatment of subordinates and peers;
 - d. Poor teaching or supervisory habits; and
 - e. Lack of completion of records and required reports.

TERMINATION

In the event an employee is laid off as deemed necessary by reasons of lack of funds, lack of work, abolishment of position, or other changes in duties or organization, the employee affected by a layoff shall receive written notice. This notice shall contain the effective date of separation, reasons for the layoff, and appeal rights information.

CODE OF ETHICS

As implemented by the Education Professional Standards Board, the Professional Code of Ethics for Kentucky School Certified Personnel requires Kentucky's educators to reaffirm their commitment to the highest ethical standards. In recognizing the magnitude of professional responsibility to learners and to society, the Code of Ethics reflects and promotes the aspirations of the teaching profession. Employees who violate provisions of the Code of Ethics may be subject to disciplinary action, up to and including termination.

REPORTING

The ~~Principal~~ principal shall comply with the reporting requirements of ~~KRS 161.120~~[KRS 161.120](#) that applies to certified personnel.

Termination/Nonrenewal/Separation by Employee

SEPARATION BY EMPLOYEE

Notice of separation by retirement, resignation or transfer must be submitted to the supervisor in written form and forwarded to the Personnel/Payroll Officer.

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with [KRS 161.780](#).

A certified employee who voluntarily leaves the Office of Career and Technical Education (OCTE) shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in OCTE, if the employee is taking a similar position in another district, and the reason(s) provided for leaving OCTE. This information shall be reported to the Kentucky Department of Education (KDE) by OCTE in a system developed by KDE without providing personally identifiable information.

REFERENCES:

- [016 KAR 001:020](#) (Code of Ethics)
- [KRS 18A.1131](#); [KRS 18A.1132](#); [KRS 18A.095](#); [KRS 18A.146](#)
- [KRS 156.800](#); [KRS 156.808](#); [KRS 156.818](#); [KRS 156.820](#); [KRS 156.824](#)
- [KRS 156.830](#); [KRS 156.832](#); [KRS 156.834](#); [KRS 156.836](#)
- [KRS 160.382](#); [KRS 161.120](#); [KRS 161.780](#)
- [101 KAR 001:345](#); [780 KAR 003:100](#); [780 KAR 003:110](#)
- [780 KAR 003:120](#); [780 KAR 006:080](#); [780 KAR 006:090](#)

RELATED POLICIES:

- 03.1311
- 03.1313
- 03.172
- 03.173
- 03.175

Adopted/Amended: 8/3/2023
Order #: VIII.B

Sanctions

Letters of caution and written reprimands are methods by which a supervisor may motivate an employee to improve job performance. With the letter of caution, the supervisor gives an employee written notice that improvement in a certain performance needs to be forthcoming, and in the case of the written reprimand, the supervisor submits documentation according to law, which is then filed in the employee's personnel file.

LETTER OF CAUTION

A letter of caution is not a written reprimand, but rather serves as a corrective action. It is not to be placed in the employee's personnel files, including the personnel file at the Division or Resource Management.

A letter of caution:

- Is an evaluation tool.
- Serves as a written reminder to an employee from a supervisor that the employee's performance is in some way specifically sub-standard and so must be specifically improved.
- Details for the employee the supervisor's dissatisfaction in a very particular way with a very particular performance.
- Is to be kept in the employee's evaluation file and may be used to support the evaluation of an employee by the supervisor.
- Is not of a permanent nature. It will be kept only until the next evaluation conference unless necessary corrective action has been taken.

WRITTEN REPRIMAND - 156 EMPLOYEES

A written reprimand is an official step in the corrective action process and is issued to an employee in order to point out misconduct, an other infraction, or failure to perform duties in a proper or adequate manner, and to emphasize that if the problem is not corrected, further disciplinary action may be taken, up to and including dismissal.

A written reprimand is placed in an employee's personnel file and becomes a part of the employee's permanent record.

WRITTEN REPRIMAND - 18A EMPLOYEES

A written reprimand is an official step in the corrective action process and is issued to an employee in order to point out misconduct, or failure to follow prescribed policies, procedures, etc., and to emphasize that if the problem is not corrected, further disciplinary action may be taken, up to and including dismissal.

A written reprimand is placed in an employee's personnel file and becomes a part of the employee's permanent record.

PERSONNEL

03.172
(CONTINUED)

Sanctions

ASSISTANCE

Assistance in drafting either of these writings shall be obtained through the Office of Career and Technical Education Ombudsman's office.

REFERENCES:

- [KRS 18A.020](#)
- [KRS 156.814](#)
- [101 KAR 001:345](#)
- [780 KAR 003:110](#)

RELATED POLICIES:

- 03.17
- 03.173

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Ethics Guidelines

In Advisory Opinion 99-41, the Executive Branch Ethics commission ruled that employees of Office of Career and Technical Education (OCTE) are not separate and independent from the Kentucky Department of Education (KDE) and, therefore, are considered the “state agency” for purposes of the Executive Branch Ethics Code. Accordingly, if a person or company offering a gift is regulated by or does business with the ~~Office of Career and Technical Education, OCTE~~, the gift rule applies to all its employees, stationed in Frankfort and at area technical centers.

The Ethics Commission has prepared a helpful brochure detailing the gift rule for state employees. A copy shall be available in the school office. This is included as part of the orientation packet. Additional information is available at their website:

<http://klec.ky.gov/>

Highlights from this brochure include:

- *Basic Rule:* Employees, their spouse and their dependent children are prohibited from accepting gifts including travel expenses, meals, alcoholic beverages and honoraria totaling a value greater than \$25 in a single calendar year, from a person or business that does business with, is regulated by, is seeking grants from, is involved in litigation against, or is lobbying or attempting to influence the actions of the state agency for which employees work or which they supervises, or from any group or association which has as its primary purpose the representations of those person or businesses.
- *Gifts to an Agency:* Gifts that may not be accepted by an employee may also not be accepted by a state agency if the agency has a business, regulatory, or influential relationship with the gift giver.
- *Gifts That are Permitted:* The following items are exceptions to the basic rule and may be accepted by an employee, spouse, or a dependent child:

A gift or gratuity received by an employee working directly on an economic incentive package or seeking to bring tourism to the state or by any other public servant working directly with the cabinet on an economic incentive package of anything of economic value, when that (gift or gratuity) was not solicited by the employee and was accepted in the performance of the employee’s official duty and in compliance with guidelines to be established by the Kentucky Economic Development Partnership which shall include requirements that all gifts or gratuities of a reportable value under [KRS 11A.050\(3\)\(k\)](#) be registered with the Kentucky Economic Development Partnership and with the Executive Branch Ethics Commission and that all tangible property with a value in excess of twenty- five dollars (\$25), other than food and beverages consumed on the premises, shall be turned over to the Cabinet for Economic Development within thirty (30) days of receipt.

REFERENCES:

[KRS 11A.050](#); [KRS 11A.020](#); [KRS 11A.040](#); [KRS 18A.145](#); [KRS 156.838](#)

RELATED POLICIES:

03.17, 03.1322

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Suspension

If approved by the Appointing Authority, the Associate Commissioner of the Office of Career and Technical Education (OCTE) may grant leave of absence for special leave for investigative purposes during which an employee may be placed on special leave with pay for investigative purposes and for a period of time not to exceed sixty (60) working days.

The employee shall be notified in writing by the appointing authority ~~concerning~~ regarding the employee being placed on leave and the reasons. If no misconduct is proven, all records relating to the investigation shall be purged from the ~~Office of Career and Technical Education~~ OCTE. The employee shall be notified in writing of the completion of the investigation and the action taken, including cases where the employee resigns.

All inquiries/actions concerning suspension of an employee shall be directed through ~~Office of Career and Technical Education~~ OCTE's Ombudsman, prior to initiating disciplinary action. When the employee is notified, copies of the notice of suspension shall be forwarded to the Associate Commissioner on the same date the notice is delivered to the employee.

REFERENCES:

- [KRS 156.808](#)
- [101 KAR 001:345](#)
- [780 KAR 006:090](#)

RELATED POLICIES:

03.1235; 03.172

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Retirement

Eligible employees in the Office of Career and Technical Education (OCTE) actively participate in one

(1) of two (2) retirement systems:

- **TRS** (Teachers' Retirement System) <https://trs.ky.gov/>: ~~This system p~~Primarily serves instructors and administrators, who pay into the system.

Administrative employees pay into TRS when the position/classification states that a degree is required **and** there is no experience substitution clause.

In order to be a member of TRS, the **position has to require a degree** (with no substitution clause) and ~~the person employee has to have a degree~~. If both of these criteria aren't met, then the individual would fall under KERS. **KERS** (Kentucky Employees Retirement System) <http://www.kyret.com/>: ~~This system p~~Primarily serves support staff, including eligible clerical and maintenance employees, who will pay into the system.

Administrative employees with a degree whose position has a substitution clause for the degree ~~means those individuals will~~ fall under KERS.

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NOTICE

Notice of separation by retirement must be submitted to the employee's supervisor in written form and forwarded to the Division of Resource Management.

Failure of a 156 employee to give thirty (30) calendar ~~days notice~~ days' notice of resignation may result in forfeiture of accrued annual leave.

TRS SERVICE CREDIT

A retirement plan year is as follows:

- Twelve (12) month employees: The plan year is July 1 through June 30, which is figured at 260 or 261 days per year (based on the calendar);
- Ten and one-half (10.5) month employees: The plan year is August 1 through June 15, which is figured at 227 to 230 days per year (based on the calendar).

Refer to the TRS web site (<https://trs.ky.gov/>) for additional information.

UNUSED SICK DAYS

Unused sick leave days count toward retirement credit under both the ~~Teachers' Retirement System TRS~~ and the ~~Kentucky Employee Retirement System (KERS)~~.

UNUSED ANNUAL LEAVE

As long as the required notice is ~~provided~~ received, ~~upon~~ retirement employees shall be paid a lump sum for accumulated annual leave, up to the ~~amount of maximum~~ maximum accumulation rate for their months of service.

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REFERENCES:

- [KRS 156.812](#)
- [780 KAR ~~003:100~~](#)

RELATED POLICIES:

03.122; 03.1232

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Evaluation of Employee Performance

TEACHER OBSERVATIONS

The ~~Principal~~principal is the instructional leader in the school and is responsible for ensuring that instruction is delivered in a manner that accomplishes the goals of the area technology center. The ~~Principal~~principal shall be responsible for completing two (2) documented formal teacher observations per school year.

Activities to look for shall include the following:

- Lesson Review
- Orientation to Subject of Lesson
- Student Motivation
- Instructor Enthusiasm
- Classroom Control
- Efficient Use of Time
- Lesson Plan Available and Followed
- Demonstrations
- Student Practice Time
- Teaching Style Addressing Learning Styles of Students
- Assignments/Live Work
- Audiovisuals
- All Students Engaged in Learning
- Tests/Worksheets/Reading Assignments
- Safety Practices

The ~~Principal~~principal shall discuss the activities observed or not observed with each teacher following the observation. The teacher shall prepare a written plan for the ~~Principal~~principal to address activities that need improvement. The ~~Principal~~principal will be responsible for ensuring that improvements are made and documented.

156 EMPLOYEE PERFORMANCE EVALUATIONS – OVERVIEW

Employee performance evaluations are conducted annually for July 1 through June 30.

156 Evaluation Process for Teachers

Certified and equivalent employees shall be rated in accordance with the guidelines outlined in [KRS 156.828](#). ~~These referenced~~ guidelines require a written evaluation for each full-time employee who has completed the initial probation and each part-time employee who has worked over 100 hours per month and who has completed initial probation.

Two (2) formative evaluations shall be conducted, one (1) during the fall semester and one (1) during the spring semester. Evaluation ratings shall be based on observations, ~~program assessment documentation~~, daily communication, ~~program data~~, etc. Employees being evaluated shall have a conference with their supervisor before December 15 to discuss the fall formative evaluation. The spring formative evaluation conference shall take place before June 15. The summative evaluation shall be completed by June 15 of each year.

Performance ratings for the formative evaluations are: ~~Exemplary Standard Exceeded (4)~~, ~~Accomplished Standard Met (3)~~, ~~Developing Improvement Needed (2)~~, and ~~Ineffective Standard Not Met (1)~~. Summative evaluation ratings are based on ~~the sum of the two (2) formative evaluations, walkthroughs, and other data noted in the certified evaluation plan.~~

~~On each performance criteria rated Improvement Needed, justifying comments and suggestions for improvement must be provided during the evaluation conference.~~

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Evaluation of Employee Performance**156 Evaluation Process for Teachers (continued)**

For an overall *Unsatisfactory* summative rating, the supervisor shall provide a suggested growth plan that may include outside resources, a mentor teacher, etc. This plan shall be provided in writing and discussed during the evaluation conference.

Both employee and supervisor shall sign the formative evaluation signature sheet at the conclusion of each formative evaluation conference and the summative form at the end of the evaluation process. The employee's signature does not constitute agreement or acceptance of the evaluation ~~ratings, and ratings and~~ does not waive the right to appeal the evaluation within the guidelines of [KRS 156.828](#).

Additional information is available at ~~780 KAR 003:0385~~ [780 KAR 003:035](#)

[KRS 156.828](#) specifically outlines the appeal procedure for the evaluation process and the specific evaluation categories for teachers, administrators, all other certified and equivalent staff statewide and Central Office personnel. [KRS 156.828](#) also provides that if an employee receives an overall *Unsatisfactory* evaluation on two (2) successive summative evaluations, the employee shall be (a) demoted or (b) terminated.

156 Evaluation Process for Administrators

The evaluation process for school administrators and other certified equivalent and Central Office staff should begin in May.

- Administrator Evaluation process: Follow guidelines as noted.
- Reference form and information link above through Kentucky TECH website.

Effective with the 2015-2016 school year 156 employees (teachers and principals) will be evaluated ~~under the annually by the Director of Technical Schools or by the Director's designee following the requirements of the Principal's Kentucky Framework for Personnel Evaluation (KFPE).~~

18A EMPLOYEE PERFORMANCE EVALUATIONS – OVERVIEW

The 18A employee performance evaluation process shall follow the guidelines outlined in [101 KAR 002:180](#).

Evaluations are to be submitted on all 18A employees who meet the following guidelines:

1. All full-time merit employees who have held status as of January 1 (completed their initial probationary period prior to January 1) of the evaluation/performance year and have remained in continuous merit status throughout the performance year.
2. All merit employees on promotion (not initial) probation.

All eligible employees must be evaluated prior to their retiring, resigning or transferring. Should there be a situation when an employee will not be evaluated, a memo from the supervisor indicating the reason (e.g. extended sick leave, not with current supervisor for the required 90 days, etc.) must be submitted and placed in the employee's personnel file.

Signatures must be in red ink.

Evaluation of Employee Performance

18A EMPLOYEE PERFORMANCE EVALUATIONS – OVERVIEW (CONTINUED)

18A employee evaluations require a ~~four (4)~~ three (3) step process to be initiated in January, reviewed in ~~April July and August~~ and finalized in December:

1. January – Performance Planning Meeting (for the new year)
2. ~~May July~~ – Interim Review
3. ~~September~~ Interim Review
4. January – Annual Performance Evaluation Meeting to finalize evaluation process for the previous year

REFERENCES:

- [KRS 156.828](#)
- [101 KAR 002:180](#)
- [780 KAR 003:035](#)

OTHER LINKS

- ~~[156 – Performance Evaluation Procedures & Form – Teachers](#)~~
Procedures: ~~<http://www.kytech.ky.gov/156PerformanceEvaluationProcedures.doc>~~
Electronic Form: ~~<http://www.kytech.ky.gov/156Evaluation.xls>~~
- ~~[Teacher Professional Growth Plan and Record: <http://www.kytech.ky.gov/PAPGP0911Blank.doc>](#)~~
- ~~[School Administrator Standards for Evaluation and Professional Growth Plan:](#)~~
Procedures: ~~<http://www.kytech.ky.gov/156PerformanceEvaluationProcedures.doc>~~
Electronic Form: ~~<http://www.kytech.ky.gov/156Evaluation.xls>~~
- ~~[Professional Growth Plan: <http://www.kytech.ky.gov/PGPAdmin.doc>](#)~~
- ~~[Other Certified, Equivalent and Central Office Staff:](#)~~
Procedures: ~~<http://www.kytech.ky.gov/156PerformanceEvaluationProceduresCentralOffice.doc>~~
Electronic Form: ~~<http://www.kytech.ky.gov/Central-Office-Evaluation.xls>~~
- ~~[Professional Growth Plan: <http://www.kytech.ky.gov/PGPAdmin.doc>](#)~~

RELATED POLICIES:

03.15, 03.16

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Professional Development

SCHEDULING

Five (5) days during the school year (July 1 through June 30) may be scheduled for professional development training/professional development. The building administrator must ~~attend or conduct~~ approve all scheduled professional development training activities and maintain a record of topics/training covered. Professional development opportunities should be aligned to the professional growth plan and in addition to beginning of the year in-service trainings. The following is a suggested list of topics to cover during in-service:

- ~~Safety Training~~
- ~~School Policies and Procedures~~
- ~~Curriculum/Lesson Planning~~
- ~~Equity Training~~
- ~~Record keeping~~
- ~~Special Populations~~
- ~~Integration/Collaboration Activities~~
- ~~Student Orientation Process~~
- ~~School Accountability~~

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EMPLOYEE RESPONSIBILITY

Maintaining certification is the responsibility of the individual employee.

Teachers, principals and all other certified school personnel shall complete at least twenty-five (25) hours of professional development training annually beginning July 1 of each year. Effective Instructional Leadership (EILA) hours ~~will~~ may count towards the twenty-five (25) hours. (Additional details regarding certification may be found at www.epsb.ky.gov).

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Certified and equivalent employees in the Office of Career and Technical Education must meet requirements for professional education as specified for their specific classification.

Area Technology Center employees are responsible for obtaining copies of certificates or other forms of documentation as proof of attendance and/or participation in professional development activities. Also, they are responsible for providing electronic or hard copy forms to the center office.

Instructors shall:

1. Prepare annual plan for upgrading and maintaining up-to-date skills.
2. Plan should include subject matter, teaching methods, and supporting/general development.
3. All instructors shall complete at least twenty-five (25) ~~week~~ hours of professional development to include technical upgrade training each year, beginning July 1.
4. Instructors who must meet continuing education requirements as a part of their occupational licensure obligation shall earn those hours in accordance with regulations

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set by the credentialing body. These hours can apply to the twenty-five (25) ~~clock~~ hour obligation on an hour-for-hour basis.

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Professional Development

EMPLOYEE RESPONSIBILITY (CONTINUED)

5. Regulations provide for the renewal of the five (5)-year Certificate for [Career and Technical Vocational](#) Education. It is expected that part of the requirement for this is the completion of sixty (60) hours of approved upgrading experiences.
 - a. Those full-time instructors must have a Technical Upgrade Transcript form on file in the Area Technology Center office.
 - b. Documentation for training is required as back-up to the Technical Upgrade Transcript.
 - c. A Technical Upgrade Transcript must be attached to the request for teacher certification renewal.
 - d. These hours can count toward the twenty-five (25) ~~eleck~~-hour requirements.
6. Instructors are responsible for obtaining proof of those hours and providing that proof of attendance/participation, to ATC Principal. The ATC Principal will maintain a file in the school office. A copy of the Professional Development Form will be sent to the Frankfort Professional Development Coordinator.

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OTHER CERTIFIED STAFF

Central Office, ~~administrative business office~~, and school-based certified and equivalent staff members are required to complete twenty-five (25) hours of training annually, between July 1 and June 30 each fiscal year.

Training sources include:

- Upgrade training that may be specified by the Associate Commissioner/designee
- Statewide workshops and program area conferences
- [Local training at ATC or with local school district](#) ~~Office for Employee and Organizational Development (OEOD)~~
- Governmental Services Center (GSC)

ACTIVE SHOOTER SITUATIONS

By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Criminal Justice Training in collaboration with the Kentucky Law Enforcement Council, the Kentucky Department of Education, and the Center for School Safety and may be included in the four (4) days of professional development under [KRS 158.070](#). When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

PERSONNEL

03.19
(CONTINUED)

Professional Development

REFERENCES:

[KRS 158.645](#); [KRS 158.6451](#); [KRS 158.070](#)
[780 KAR 003:140](#)
[780 KAR 003:150](#)
[016 KAR 007:020](#)

RELATED POLICIES:

03.14
03.1911
03.1912

Adopted/Amended: 8/6/2020
Order #: XVII.A.4

Professional Meetings

Teachers and principals are encouraged to join professional organizations specific to their profession. Dues and related costs shall be the responsibility of the individual.

Two (2) professional days may be granted for participation in professional meetings without loss of pay or leave status if requested in advance and if the absence from school does not affect efficient school operations. The ~~Principal~~ principal shall review and determine approval for use of professional days for school staff.

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The Associate Commissioner for the Office of Career and Technical Education may approve up to fifteen (15) paid days for employees holding regional, state, or national leadership roles in professional organizations when these days are requested in advance and the employees' skills and leadership development are of value to the organization. Reimbursement of travel expenses for professional days requires prior approval and shall be considered on a case-by-case basis.

RELATED POLICIES:

03.125

03.19

Adopted/Amended: 10/2/2018

Order #: XVII.A.1

Instructional Leadership Program

EFFECTIVE INSTRUCTIONAL LEADERSHIP HOURS

Each year instructional leaders, including active principals and guidance counselors, shall complete an intensive training program to include no fewer than twenty-one (21) participant hours of instruction.

Information on Effective Instructional Leadership requirements is provided under administrative resources at:

<https://education.ky.gov/teachers/PD/Pages/EILA.aspx>

Individuals are responsible for keeping copies of certificates and/or other proof of attendance and for forwarding proof of acquisition of twenty-one (21) hours to the Professional Development Coordinator.

Effective Instructional Leadership (EILA) hours will count towards the twenty-five (25) hours required of all teachers, Principals and all other certified school personnel.

RETIREES/INACTIVE INDIVIDUALS

Retirees and inactive individuals who hold a principal's or other leadership certificate are responsible for completing forty-two (42) hours of Effective Instructional Leadership every five (5) years. For more details, retirees should review the policies of the Education Professional Standards Board at:

<http://www.epsb.ky.gov/>

For those individuals holding a "Life-Time" certificate, leadership hours are not required.

REFERENCES:

[KRS 156.101](#)
[704 KAR 003:325](#)

RELATED POLICY:

03.19

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Fiscal Management

The Kentucky Department of Education, Kentucky TECH Administrative Branch handles financial management for the Office of Career and Technical Education and area technology centers. Budget and purchasing related issues in conjunction with the Procurement Branch in the Division of Budget and Financial Management are directed to that office.

Financial management forms and information documents to be used as reference and guidelines for performing budget related activities are accessible [in the Administrative Specialists SharePoint site via this link:](#)

<http://kytech.ky.gov/SACS/P%20and%20P%20-%20Chapter%20H%20-%20%20Financial%20Management/Financial%20Mgmt%20-%20H-01%20%20Activity-Program,%20Dept,%20-%20Object%20Codes%20&%20Information.xls>

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Budget Process

BUDGET DEVELOPMENT

The Kentucky Department of Education Kentucky TECH Administrative Branch is responsible for developing the budget for the Office of Career and Technical Education and area technology centers on an annual basis. Information is solicited from the various departments as well as the area technology centers. This information includes, but is not limited to:

- Salaries – current, projected changes, annual increment, retirement rates
- Classroom supply needs
- Utility expenses
- Anticipated retirements/resignations
- Equipment expenses – purchases and maintenance
- Travel expenses
- Professional development

FUNDING

Funding for salaries, training and instructional aids is allocated by the Kentucky Legislature each year for state operated schools. Also, Federal funds are available through the Carl D. Perkins Career and Technical Education Act of 2006:

<https://www.govinfo.gov/content/pkg/COMPS-3096/pdf/COMPS-3096.pdf>

REFERENCE:

Carl D. Perkins Career and Technical Education Act of 2006

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Authority to Encumber and Expend Funds

All funds budgeted for area technology schools and appropriated through the legislative process shall be expended for secondary students. Therefore, any program operated for adults shall recover costs associated with that operation.

All such postsecondary projects shall be approved by the ~~Principal~~principal and a completed Customized Training Agreement shall be available to the ~~Principal~~ principal, and the Associate Commissioner and the Director.

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PROCARD

The ProCard is a credit card that can be used for purchasing within specified limits for each cardholder. All normal purchasing rules and regulations apply when using the ProCard.

Upon receipt, secretaries shall send their original ProCard invoices to kdeprocarddocuments@education.ky.gov ~~the appropriate Regional Procard Administrator~~. The payment accounting information shall be included on the DPR coversheet~~written on the invoices including:~~

Accounting Template: KD, KX, KF,etc

Expenditure Object: Such as E328 for classroom supplies

Dept Object: 2 Letter code used to identify program or administrative costs such as WL for welding or OP for Operations

The ProCard user's signature shall be on the invoice/receipt. Documentation of the additional approvals shall also be included if applicable.

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HONORARIUM

- Within a calendar year, payment to a non-state employee cannot exceed \$1,000; otherwise a personal service contract shall be required.
- The individual shall be made aware that the amount received shall be 1099 reportable.
- A non-state employee receiving an honorarium for a specific project shall secure a vendor number through the Vendor Self Service (VSS) through the Finance and Administration Cabinet at: emars311.ky.gov complete a Miscellaneous Expense Voucher which includes the individual's name, SS#, and address. The Forms Library and may be downloaded to a KFM File via the following link:
<http://kentucky.gov/pages/search.aspx?terms=forms+library&affiliateId=GENERAL>
- Honorarium to non-state employees shall only be paid by staff in the KY Tech Administrative/Fiscal Services Branch in the Office of Career and Technical Education, Frankfort.
- A state employee may be paid for working on specific approved projects outside normal working hours; however, an employee shall only be paid through the payroll system.

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Financial Management of Student Organizations

Financial management of local chapters of student organizations shall be in accordance with established policies and procedures.

The financial management of the state association will follow these guidelines.

- Each person handling funds for the organization shall be bonded or otherwise protected for the total amount in the account at any one time.
- An organized record keeping system shall be current and available for review and audit upon request.
- All student organizations shall have a budget that is approved by its governing body prior to any expenditure for that fiscal year.
- All expenditures and requests for payment shall be prior approved by the organization's executive council, director, or designee.
- A minimum of two (2) state or organization staff signatures shall be required for each disbursement of funds. An authorization signature on vouchers and one (1) or more signatures on checks shall suffice.
- A report of financial activity shall be prepared quarterly.
- A report of financial activity shall also be prepared covering the entire fiscal year.
- A CPA, financial agent, or financial auditing group approved by the organization's governing body shall audit each student organization yearly.
- Each student organization shall complete the necessary state and federal tax forms as required by law.
- Financial records and audit reports shall be kept for five (5) years.

STUDENT ORGANIZATION AUDITS

Audits of student organization shall be conducted at least once in a fiscal year. The following items shall be reviewed as part of the audit: Items to look for:

1. Planned agenda for the upcoming year.
2. An organized record keeping system shall be maintained and available for review and audit upon request. Items needed include:
 - a. Checkbook,
 - b. Copies of signature cards on file at bank,
 - c. Club minutes,
 - d. Copies of paid bills with date paid and check number listed,
 - e. Treasurer's report,
 - f. Bank statements (monthly reconciled bank statements),
 - g. List of club members and officers,
 - h. Pre-numbered receipt books, and
 - i. Year-end financial report.

Financial Management of Student Organizations

STUDENT ORGANIZATION AUDITS (CONTINUED)

3. Club minutes documenting votes were taken to pay expenses (The club adviser and the club members shall be aware of all money transactions.)
4. Each club shall maintain a separate bank account in the name of the specific organization.
5. Two (2) signatures shall be required on each check (i.e., advisor, student treasurer).
6. The Principal or school secretary shall not sign checks.
7. Expenditures for the club:
 - Shall be from club funds,
 - Shall be approved by club members and advisor.
8. At least two (2) initials shall be required on each deposit ticket.
9. The monthly treasurer's report that includes the old balance, income, expenses, and the new balance.
10. Annual treasurer's report that includes the old balance, income, expenses, and the new balance.

VENDING ACCOUNTS

The purpose of vending accounts shall be to support student organizations.

Audits shall be conducted at least once a year. Principals shall make auditors aware if such "vending" accounts exist.

The following items shall be reviewed as part of the audit:

- A. Meeting minutes for vending accounts committee
 - Committee members: Principal and all advisors (and at least one (1) club officer from each club, if elections have been conducted).
 - Minutes documenting that votes were taken to pay expenses.
- B. An organized record keeping system shall be kept and available for review and audit upon request. Items required include:
 - Checkbook (vending account should be separate from student organization accounts),
 - Copies of signature cards on file at bank,
 - Committee minutes,
 - Copies of paid bills with date paid and check number listed,
 - Bank statements (monthly reconciled bank statements, cancelled checks and deposit slips), and
 - Year-end financial report.

Financial Management of Student Organizations**VENDING ACCOUNTS (CONTINUED)**

- C. Documentation of income distribution percentages for the school year and unique issues (such as expenditures for isolated, special purchases, outside the norm scholarships, state/national conventions).
- D. Checks and deposits shall have at least two (2) signatures.
- E. The Principal shall be aware of what is typically collected in these types of accounts.

STUDENT ORGANIZATION PROJECTS

All student organization activities shall abide by [780 KAR 002:040](#) pertaining to live work, including the use of official *live work order forms*. All safety standards shall be strictly followed both on and off campus. Projects shall be instructional, co-curricular and beneficial to the student and the program. The individual program advisory committees shall provide review and make recommendations on projects a minimum of once per year. Documentation shall be maintained in the approved student organization program of work of all approved projects.

Guidelines for managing financial activities:

- A program of work shall be submitted by each student organization to the ~~Principal~~ principal prior to October 1. A copy of the program of work shall be forwarded to the business manager by October 15. The program of work is an outline of the planned activities of the student organization for the year.
- General fund dollars shall not be used to support student organizations.
 1. The club adviser and the club members shall be aware of all money transactions. An organized record keeping system shall be kept and available for review and audit upon request.
 2. The club shall maintain a separate bank account in the name of the organization.
 3. Any checks written shall include at least two (2) signatures (i.e., advisor, student treasurer).
 4. ~~Neither the Principal~~ neither the principal nor the school secretary shall ~~not~~ sign the checks.
 5. Copies of all minutes authorizing the expenditures noted in the year shall be available.
- Required records for clubs shall include:
 1. Checkbook,
 2. Copies of signature cards on file at bank,
 3. Club minutes,
 4. Copies of paid bills,
 5. Treasurer's report,
 6. Bank statements,
 7. List of club members and officers,
 8. Pre-numbered receipt books,
 9. Year-end financial report, and
 10. A simple record of all financial transactions.

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FISCAL MANAGEMENT

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Financial Management of Student Organizations

REFERENCES:

[780 KAR 002:040](#)

RELATED POLICIES:

09.32, 09.33

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Purchasing

PURCHASING REQUESTS

Prior to purchasing, Regional Kentucky TECH Budget Support staff must approve school requests for:

- Classroom supplies over \$1,000 and up to \$3,000
- Classroom furniture over \$1,000 and up to \$5,000
- Equipment over \$1,000 and up to \$5,000 (excluding computers)
- Administrative furniture over \$1000

After receiving the Regional Kentucky TECH Budget Support staff's approval, schools may place the order following the ATC Procurement Guide as outlined by the KDE Division of Budget and Financial Management Procurement Branch.

For IT accessories under \$1,000, the District Technology Coordinator shall be contacted prior to ordering.

All IT equipment (regardless of amount) and supply/equipment and furniture items exceeding amounts designated above should be secured following the purchase process as outlined in the ATC Procurement Guide.

EQUIPMENT

Equipment is considered a unit of furniture, an instrument, a machine, an apparatus, or a set of articles that meet ALL of the following conditions:

1. It retains its original shape or appearance with use.
2. It is non-expendable; that is, if the article is damaged or if some of its parts are lost or worn, it is more feasible to repair it rather than replace it.
3. It costs \$250 or more.
4. It does not lose its identity through incorporation into a different or more complex unit or substance.

All procurements falling in the equipment category, whether new or replacement must be requested through the current equipment approval process and approved before any purchases are made.

SUPPLIES

The ~~Principal~~principal is responsible for managing the funds that are budgeted to the area technology center and for allocating classroom supply funds to each program area. Supplies, in reference to Kentucky TECH schools, means any article or material that meets ~~any one~~anyone (1) of the following conditions:

- It is consumed in use;
- It loses its original shape or appearance with use;
- It is expendable - If the article is damaged or some of its parts are lost or worn, it is usually more feasible to replace it with an entirely new unit rather than repair it;

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Purchasing

SUPPLIES (CONTINUED)

- It loses its identity through incorporation into a different or more complex unit or substance.

Supply requests shall be made by teachers using an order request form, which must be approved by the ~~Principal~~principal. Supply funds must be expended in the school year allocated. They do not carry forward.

REFERENCE:

[780 KAR 007:060](#)

RELATED POLICIES:

04.7
05.6

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Fraud Prevention

All employees, consultants, vendors, contractors and other parties maintaining a business relationship with programs operated by the Office of Career and Technical Education (OCTE) shall act with integrity and due diligence in matters involving Kentucky TECH fiscal resources.

DEFINITION

As used in this policy, “fraud” refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relation to Kentucky TECH assets, including theft of funds, securities, supplies, or other program properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentiality safeguards concerning financial information.
- Violating conflict of interest policies.
- Mishandling financial records or Kentucky TECH assets (destroying, removing, or misusing).

EMPLOYEE RESPONSIBILITIES

Employees who suspect that financial fraud, impropriety or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the ~~Principal~~principal/designee who shall have the primary responsibility for initiating necessary investigations. If the ~~Principal~~principal/designee is an alleged party in the fraud complaint, provision shall be made for addressing the complaint to the Associate Commissioner.

Investigations shall be conducted in coordination with legal counsel and other internal or external departments and agencies as appropriate.

The ~~Principal~~principal/designee shall inform employees with financial/accounting responsibilities of the following anti-fraud standards:

1. The Kentucky TECH system shall operate in a culture of honesty and ethical behavior with employees doing all within their power to further that goal.
2. Employees shall comply with all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, as well as policy addressing fiscal matters.
3. Employees shall practice good stewardship of Kentucky TECH financial resources, including timely reporting of fraudulent expenditures.
4. Employees with financial/accounting responsibilities shall support and follow sound business practices to the best of their ability and in keeping with their assigned responsibilities and job-related training by:
 - a. Maintaining and protecting Kentucky TECH financial records;

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Fraud Prevention

EMPLOYEE RESPONSIBILITIES (CONTINUED)

- b. Performing one's job with the highest attention to detail to minimize and prevent error, falsification of accounting records, and omission of transactions;
- c. Reporting knowledge of fraud or suspected ~~fraud, fraud, or~~ intentional misstatements and omissions of amounts or disclosures;
- d. Guarding against misappropriation of assets; and
- e. Resisting incentives, pressures, and negative attitudes that detract from performance of assigned responsibilities.

INTERNAL CONTROLS/INVESTIGATIONS

The Associate Commissioner/designee shall be responsible for developing internal controls to aid in preventing and detecting fraud or financial impropriety or irregularity within the program. Reports of suspected fraudulent activities shall be investigated in a manner that protects the confidentiality of the parties and ~~avoid~~ avoids unfounded accusations. Employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates occurrence of a fraudulent activity, the ~~Principal~~ principal/designee shall issue a report to appropriate personnel and to the Associate Commissioner. Final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. Results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

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RELATED POLICIES:

- 03.17
- 03.1721
- 04.8

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Inventory and Property Tags for Fixed Assets

CAREER AND TECHNICAL EDUCATION PROGRAM

Inventory management and control for equipment purchased for use in the career and technical program shall be administered in compliance with applicable legal requirements.¹

~~The Office of Career and Technical Education (OCTE), with the Division of Resource Management, shall track equipment based on the guidelines linked below:~~

~~<http://education.ky.gov/CTE/techednews/Documents/Inventory%20and%20Property%20Tags%20for%20Fixed%20Assets.pdf>~~

DONATED EQUIPMENT

Equipment donated to area technology centers will be inventoried by the same procedures as purchased equipment. The ~~Principal~~ principal should maintain a record of all donated equipment and the estimated value.

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INSTRUCTIONAL PROGRAMS

~~Items of equipment costing under \$250 will receive a Kentucky TECH sticker. Equipment costing over \$250 must receive a barcode and be placed on in the school inventory.~~

~~Property identification stickers or barcodes must be placed on equipment before the equipment is placed in service. The Kentucky Department of Education inventories property that has been acquired with an estimated life of greater than one year, non-consumable with an original cost equal to or greater than \$500.00. The exception to this rule is technology items. All technology devices that communicate on or have the potential to communicate on the KETS network and require the assignment of a unique identifier in order to be able to communicate on the KETS network will be inventoried regardless of cost. These items are considered to be, but not limited to, devices such as wWorkstations, dDesktops, lLaptops, nNotebooks, tablets, and slates.~~

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MISSING EQUIPMENT

Equipment that is missing or ~~can not~~cannot be accounted for should be put into a new program code setup to hold the equipment until deemed necessary to delete it. **NOTE:** The office of Fiscal Services is the only office that can delete equipment from the inventory.

REFERENCE:

¹[780 KAR 007:060](#)

RELATED POLICY:

04.8

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

FISCAL MANAGEMENT

04.8

Disposal of Kentucky TECH Property

Disposal of surplus equipment, trade-in of equipment and equipment transfer of state property will be handled as directed in the Surplus Property Guidebook located at the link below:

<https://finance.ky.gov/department-for-facilities-and-support-services/division-of-surplus-properties/Documents/SurplusPropertyGuidebook%2012-2019.pdf>

RELATED POLICY:

04.7

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Management of Financial Records

~~Career and Technical schools~~ Area Technology Centers follow* the guidelines in the Records Retention Schedule, Public School District.¹

<https://kdla.ky.gov/records/RetentionSchedules/Documents/Local%20Records%20Schedules/PublicSchoolDistrictRecordsRetentionSchedule.pdf>

Unless otherwise provided for in Kentucky Administrative Regulation, the school shall retain or dispose of financial records ~~shall be retained or disposed of~~ as outlined in that schedule.

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In that guidance, the column on the right depicts how long specific records shall be kept. (A designation of P indicates a record to be maintained permanently.) Permanent items may be archived in Frankfort.

REFERENCES:

¹[725 KAR 001:030](#); Records Retention Schedule, Public School District
[KRS 171.410](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Uniform Guidance

Federal funds received by the District are to be administered and federally funded personnel expenses documented in accordance with applicable Uniform Grant Guidance requirements.¹

REFERENCES:

- ¹2 C.F.R 200.430(i)
- 2 C.F.R. Part 200

RELATED POLICIES:

- 01.11
- 08.1345

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Facility Requirements

BUILDING ACCESSIBILITY

Building accessibility is a requirement under numerous federal laws.¹ The Equal Employment Opportunity (EEO) Counselor's manual contains a section on accessibility that addresses reasonable accommodations, building accessibility and signage in more detail. Refer to that manual for information on signage requirements inside ~~the buildings, on~~ in parking lots, and on entrances to buildings, restrooms, telephones and elevators.

A completed copy of the Accessibility Checklist used for surveying buildings and planning the removal of barriers must be kept on file in the area technology center. This document is intended as a guide to increase awareness of architectural barriers to accessibility encountered by people with disabilities. The checklist is based upon Kentucky Standards for Accessibility that reflects the American National Standards (ANSI A117.1).

http://ada.ky.gov/documents/Checklist_2000.pdf

REQUIRED SIGNS

The following signs are required to be posted in public/employee accessible locations in area technology centers:

- Americans with Disabilities Act
- Child Labor Law
- Employee Polygraph Protection Act
- Equal Employment Opportunity
- Fair Employment
- Family and Medical Leave Act
- Minimum Wage
- OSHA Job Safety and Health Protection
- Public Accommodation
- Unemployment Insurance
- Uniformed Services Employment and Reemployment Rights Act
- Any additional postings required by State or Federal regulations

Signs may be obtained by visiting [these websites](#):

- <http://www.labor.ky.gov/> and <http://www.dol.gov/>

REFERENCES:

¹Title VI of the Civil Rights Act of 1964, 20 U.S.C. 1681, Education Amendments of 1972, Title IX, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act [780 KAR 007:060](#); [780 KAR 007:010](#); [780 KAR 007:020](#)
American National Standards (ANSI A117.1 - <http://www.ansi.org/>)

RELATED POLICIES:

03.113, 03.121, 03.12322, 03.124, 03.14, 10.5

Adopted/Amended: 6/4/2014

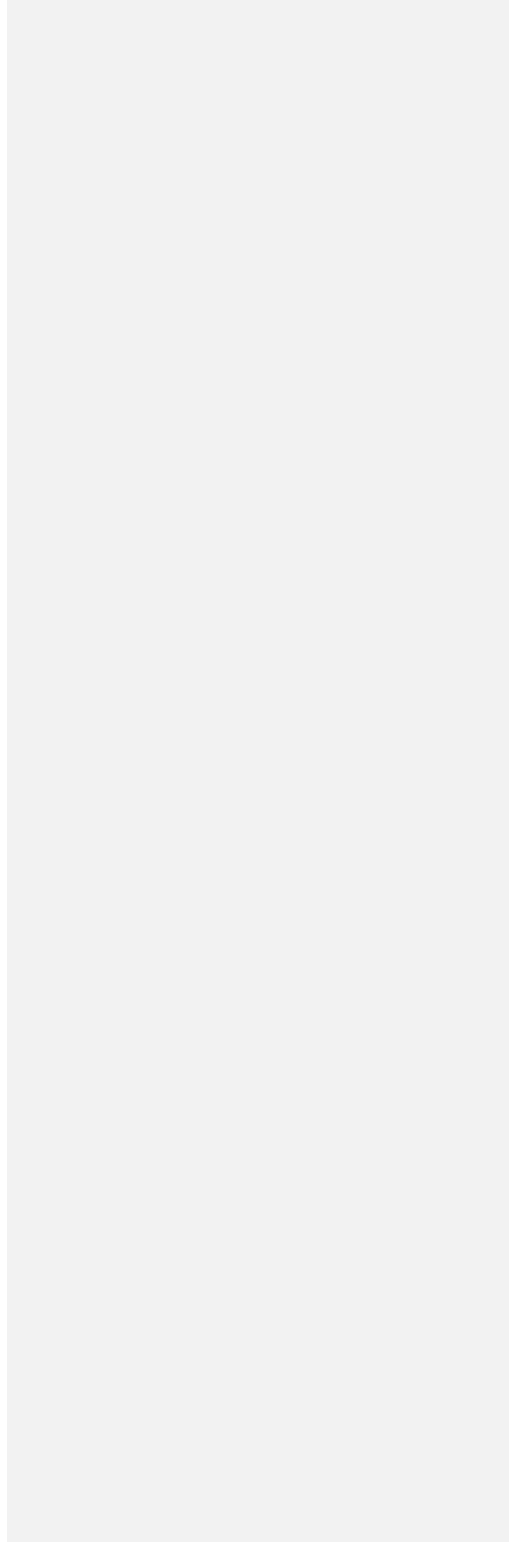
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SCHOOL FACILITIES

Order #: 05.2
XXIII.B.2



Maintenance of Equipment and Facilities

The area technology center ~~Principal~~ principal shall be responsible for preventive and continuous maintenance of the facility, equipment, and school grounds. Maintenance and repair of the building shall be the responsibility of the local school district that owns the facility. All maintenance and repair needs shall be reported in writing to the appropriate local school district staff.

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Equipment shall not be removed from the facility unless approved for live work or an off campus project. The ~~Principal~~ principal shall be notified before equipment is removed for approved activities and when the equipment is returned from the activity.

Each teacher shall keep a record of all maintenance completed on equipment assigned to his/her program. The maintenance record shall identify the specific piece of equipment, date of inspection, equipment defect, corrective action, and date the equipment was returned to service. The corrective action shall note if the repairs were made by a person other than the teacher. Repairs to equipment shall only be made by the teacher if he/she is certified/qualified to make the repairs.

REFERENCES:[780 KAR 007:010](#)[780 KAR 007:020](#)[780 KAR 007:040705](#) KAR 3:141

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

FACILITIES

05.23

Energy Management

In order to use energy resources in a safe and efficient manner with an on-going focus on identifying and implementing cost saving measures and developing staff and student commitment to identified energy management practices, the Board may participate in energy- saving measures to implement an effective energy management program.

Adopted/Amended: 8/7/2019

Order #: XVII.A.6

Use of Kentucky TECH Facilities**AVAILABILITY**

The Associate Commissioner or an authorized deputy pursuant to [KRS 156.802](#) (hereinafter “Associate Commissioner/authorized deputy”) shall determine whether, which, and when Office of Career and Technical Education (hereinafter “OCTE”) facilities, grounds, employees, and equipment are available.

The Associate Commissioner/authorized deputy may approve the reasonable use of designated OCTE facilities, grounds, and equipment by responsible non-school groups and individuals (hereinafter referred to as the “Applicant”) during non-instructional time before or after the school day. Such use shall not conflict with scheduled school activities and shall comply with established procedures.

A request for use may be rejected when it involves any of the following:

1. A commercial, for-profit activity (school facilities, grounds and equipment **shall not be used** for commercial, for-profit activities);
2. Lack of availability of facilities, grounds, employees, or equipment on the date(s) and/or at the time(s) requested;
3. Failure by the Applicant to timely submit required documents, information, or payments;
4. Interference with the education of students;
5. Potential danger to the safety or preservation of OCTE facilities, grounds, employees or equipment; or
6. Use that is not in the best interests of the OCTE.

LIABILITY

The facility usage contract shall require that the Applicant assume all liability for injury to individuals and damage to property by reason of the use of OCTE facilities, grounds, and equipment. The contract shall additionally require that the Applicant indemnify and hold harmless the OCTE from all loss or damage thereby and/or secure general liability insurance acceptable to OCTE as specified below. Adult supervision of participants shall be provided and shall be the sole responsibility of the Applicant.

RESTITUTION OF DAMAGES

The Applicant shall reimburse the OCTE for any repair of damages to or replacement of OCTE property lost, stolen, damaged or vandalized while under its care.

INSURANCE

The Associate Commissioner/authorized deputy may require, as prerequisites to the approval of any facility usage application, the provision of a certificate of insurance demonstrating that the Applicant possesses adequate general liability insurance, and the provision of written verification that an endorsement has been added to the Applicant’s general liability insurance policy naming the OCTE as an additional insured in connection with the Applicant’s use of the OCTE facility, grounds, and equipment.

APPLICATION AND CONTRACT

The Applicant shall complete an official facility usage application form regarding the use of OCTE facilities, grounds, and equipment. The application form shall require such information as may be needed to determine the availability of, and the eligibility of the Applicant to use, OCTE facilities, grounds, and equipment and the costs to the Applicant of using the requested facilities, grounds, employees, and equipment. Both the application form and contract shall be signed by an individual authorized to represent the Applicant.

Use of Kentucky TECH Facilities**APPLICATION AND CONTRACT (CONTINUED)**

The Associate Commissioner/authorized deputy shall determine the due dates for submission of the application form, the contract, and any other information, documents, payments, or actions requested or required by the Associate Commissioner/authorized deputy or the contract.

The facility usage contract shall require a using organization to assume all liability for injury to individuals by reason of the lease of OCTE property and that the organization indemnify and save harmless OCTE and its employees from any loss or damage thereby.

USE OF EQUIPMENT

The use of OCTE facilities or grounds shall not include the use of OCTE equipment unless such use is specifically approved by the Associate Commissioner/authorized deputy. The Applicant shall assume full responsibility for any and all expenses resulting from the transfer, repair, or replacement of equipment necessitated by the Applicant's usage. In the event of transfer, repair, or replacement, the Associate Commissioner/authorized deputy shall immediately report the same to the Applicant.

REIMBURSEMENT OF COSTS

The Applicant shall pay OCTE the amount necessary to recover all actual costs including, but not limited to, utility costs; employee costs; cleanup costs; and cost of wear and tear on facilities, grounds, and equipment incurred by the OCTE in connection with the use of non-school groups or any other individuals of OCTE facilities, grounds and equipment.

PRESENCE OF KY TECH EMPLOYEES

The Associate Commissioner/authorized deputy shall determine which OCTE employees and the number of OCTE employees that will be required and/or permitted to be present during use of OCTE facilities, grounds, and equipment. As a general rule, at least one (1) OCTE employee (typically a custodian) must be on duty during all hours of OCTE facility usage. Reasons for not requiring the presence of an OCTE employee must be noted by the Associate Commissioner/authorized deputy in the appropriate box on the Application.

DISAPPROVAL OF USE

Disregard of the rules and regulations governing the use of OCTE facilities, grounds, employees, or equipment may result in the Associate Commissioner/authorized deputy barring the offending Applicant from further use of OCTE facilities, ground, and/or equipment. In case of any damage, a resolution agreeable to the Associate Commissioner/authorized deputy, shall be prerequisite to further use by the Applicant of OCTE facilities, grounds, and equipment.

REFERENCES:

[KRS 156.802](#); [KRS 158.183](#)

[705 KAR 004:231](#); P. L. 114-95, (Every Student Succeeds Act of 2015)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Safety**SCHOOL FACILITIES 05.4****Safety**

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AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

Pursuant to [KRS 158.162](#), the local Board of Education shall maintain Automated External Defibrillators (AEDs) in designated locations throughout the Area Technology Center. An AED shall be used in emergency situations warranting its use in accordance with [KRS 311.665](#) to [KRS 311.669](#).

The local Board of Education shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

AEDs shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

SCHOOL EMERGENCY PLANNING

The ~~Principal~~principal shall adopt an emergency plan for the school that shall include:

1. procedures to be followed in cases of medical emergency, fire, severe weather, earthquake or a building lockdown as defined in [KRS 158.164](#)
2. A written cardiac emergency response plan; and
3. A diagram of the facility that clearly identifies the location of each AED.

The emergency plan shall be provided to appropriate first responders and all school staff.

Following the end of each school year, a school nurse within the District, the ~~Principal~~ principal and first responders shall review the emergency plan and revise it as needed.

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The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The ~~Principal~~principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and document the date and time of any discussion.

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, the school council or, if none exists, the ~~Principal~~principal shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake; and
4. Develop and adhere to practices to control access to the school.
5. Maintain a portable AED provided by the ~~District~~district in a public, readily accessible, well- marked location in every Area Technology Center building; and:

SCHOOL FACILITIES

05.4

Safety

- a) Adopt procedures for the use of the portable AED during an emergency;

Safety

SCHOOL EMERGENCY PLANNING (CONTINUED)

- b) Adopt policies for compliance with [KRS 311.665](#) to [KRS 311.669](#) on training, maintenance, notification, and communication with the local emergency medical services system;
- c) Ensure that a minimum of three (3) employees in the school be trained on the use of a portable AED in accordance with [KRS 311.667](#); and
- 6. Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable AED. The plan shall:
 - a) Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable AED, a cardiac emergency response plan, and access to and plan for emergency transport; and
 - b) Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.

No later than November 1 of each school year, the ~~Principal~~principal shall send verification to the Associate Commissioner that the school is in compliance with school emergency planning requirements.

By August 1 of each year, the ~~Principal~~principal shall report to the Kentucky Department of Education ([KDE](#)) on the number of portable AEDs at each school within the OCTE.¹

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SAFETY SIGNS

The following is a suggested list of safety signs that may be posted in the shop/classrooms to emphasize the importance of good safety practices:

- | | |
|------------------------------------|---|
| 1. Asbestos | 15. Machine Lockout |
| 2. Auto Lift Safety | 16. Metal Shop Safety Rules |
| 3. Compressed Air | 17. NOT AN EXIT |
| 4. DANGER – Hands and Fingers | 18. Out of Order |
| 5. DANGER – High Voltage | 19. Oxyacetylene Safety |
| 6. Do Not Start | 20. Protective Eyewear Required |
| 7. Electric Welding Safety | 21. Universal Precautions |
| 8. Electricity Shop Safety Rules | 22. Unlawful possession of a weapon |
| 9. Emergency Eyewash | 23. Visitors Report to Main Office Before Entering Shops/classrooms |
| 10. Emergency Eyewash Instructions | 24. Warning -This Machine Will Coast |
| 11. EXIT | 25. Wear face shield (battery charger) |
| 12. Fire Extinguisher | 26. Wear face shield (charging station) |
| 13. Hazardous Materials in Use | 27. Wood Shop Safety Rule |
| 14. Hearing Protection Required | |

Safety

SAFETY PUBLICATIONS

The ~~Principal~~principal shall have resource information available in the school to ensure that the school is complying with all federal and state requirements. The Kentucky Department of Labor, Office of Occupational Safety and Health, Division of Education and Training, has available a variety of *publications and forms* relating to safety, wage and hour laws, child labor laws, wage discrimination, general industry standards, and construction standards at no cost. Instructional and informational publications are also available.

Training information and publications can be found on this website:

<https://elc.ky.gov/Pages/index.aspx>

COLOR CODING

Color coding shall be used as part of the school's safety and emergency procedures.

PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

WORKPLACE/SCHOOL VIOLENCE

~~The Kentucky Department of Education~~ The KDE is committed to providing a safe and secure environment for its employees, students, and customers. Acts of violence such as physical assault, threatening behavior or verbal abuse in Cabinet operated facilities, on area technology center premises, on school buses, or at school sponsored or sanctioned events shall not be tolerated.

In the event that an individual's (employee, student, or customer) actions are perceived to endanger someone's safety and well-being; supervisory personnel, building security, and/or appropriate law enforcement agencies shall be notified immediately. The KDE Safety - Desk Guide – Emergency Telephone Numbers or *local district form* must be completed and maintained at the secretary/receptionist's desk and/or other locations deemed appropriate.

Other acts of violence that are of a less threatening nature should be promptly reported to supervisory personnel. Use of the KDE *Safety - Violent Incident Report Form* is recommended.

A *Safety - Violent Incident Report Form* shall be completed and forwarded to the ~~Office of Career and Technical Education~~ OCTE, Safety Officer, when a situation warrants.

Employees or students that engage in acts of violence shall be subject to disciplinary action up to and including dismissal/expulsion. In the event that an individual's (employee or customer) actions are perceived to endanger the safety and well-being of any employee or customer, appropriate law enforcement agencies including building security, police departments, county sheriffs, and state police and supervisory personnel should be notified immediately.

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SCHOOL FACILITIES

05.4
(CONTINUED)

Safety

REFERENCES:

¹[KRS 158.1621](#)

[KRS 158.162](#); [KRS 158.164](#); [KRS 158.4410](#)
[KRS 311.667](#); [KRS 311.665](#) to [KRS 311.669](#)
[702 KAR 001:180](#); [780 KAR 003:065](#); [780 KAR 006:005](#)
[Domestic Violence and Sexual Assault in the Public Workplace](#)

RELATED POLICIES:

03.14; 05.2; 05.41; 05.411; 05.42; 05.47; 09.221; 09.4 (entire section)

Adopted/Amended: 8/3/2023
Order #: VIII.B

Fire Drills

The Kentucky Fire Code requires that ten (10) fire drills be conducted during the school year. Two (2) of the ten (10) shall be in the first two (2) weeks of school. Fire drills are conducted for the purpose of training students to exit the building in an organized and expedient manner should an actual fire occur. Evacuation signs shall be posted in all classrooms and labs and other areas where students assemble. Students shall be given instruction on the proper procedures for exiting and returning to the building and where to assemble once [they have evacuated](#) the building ~~is evacuated~~.

REPORT

Using the *Fire, Earthquake, Tornado and Lockdown Drill Record*, the ~~p~~Principal shall document the dates of all fire drills, the time the alarm sounded, the time it took to evacuate the building, weather conditions, the number of occupants, and any irregularities noted.

IMPLEMENTATION

The ~~Principal~~principal is responsible for implementing this policy.

REFERENCES:

[Life Safety Code Handbook](#), Chapters 14 & 15
[KRS 158.162](#)
[KRS 227.220\(3\)\(e\)](#)

RELATED POLICY:

05.4

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Building Lockdowns

A building lockdown practice shall be implemented at least twice during each school year. At a minimum, lockdown drills are to be held during the first thirty (30) instructional days of the school year and in January in keeping with the schedule set by the local school district. The ~~Principal~~principal shall document that the practice has occurred.

Lockdown procedures shall be addressed in the school's emergency response plans and included in the *Emergency Procedures Desk Guide*.

DEFINITION

Building lockdown means to restrict the mobility of building occupants to maintain their safety and care.

PROCEDURES

The ~~Principal~~principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students and all staff.

Lockdown drills shall be conducted at the beginning of each semester, and information shall be included in the student handbook. For staff, this information shall be provided during the initial employment orientation, training at the beginning of the school year, and included in the staff handbook. Drills shall be documented using the Fire, Earthquake, Lockdown, and Tornado Drill Form.

School administration shall activate an emergency lockdown when the safety and welfare of the students and staff are in danger. Training shall be provided for the three (3) types of lockdown procedures:

I. Lockdown with Warning – A threat comes from outside the school building.

A threat could result from notification by authorities that a dangerous situation in close proximity to the school exists. Situations may involve a fleeing or violent felon in the area, an act of terrorism, etc.

II. Lockdown with Intruder – A threat (intruder) is inside the school building.

The ~~Principal~~principal or designee shall be notified immediately any time there is an individual inside the school without proper authorization. The ~~Principal~~principal or designee shall determine if there is cause to order a lockdown.

III. Shelter in Place – A gas or chemical release has occurred outside the school building.

The following procedure shall be followed if the school has been notified of an external gas or chemical release:

1. Lockdown with Warning Procedures

- Principal or designee, shall order and announce "lockdown with warning procedure." Repeat announcement several times. Announcements must be direct, because code words may lead to confusion.
- The ~~Principal~~principal or designee shall bring people inside.
- Hallways, restrooms and all areas that cannot be secured shall be cleared.

Building Lockdowns**LOCKDOWN WITH WARNING PROCEDURES (CONTINUED)**

- Students shall be sent to a closed, supervised area.
- Assistance shall be provided to those needing special assistance.
- Staff shall lock exterior doors and classroom and lab doors.
- Staff shall pull shades and keep students away from windows.
- Staff shall control all movement, but shall shelter in place and continue classes unless otherwise instructed.
- The Principal/principal or designee shall disable bells and announce when the regular schedule is to commence.
- The Principal/principal or designee shall announce “all clear” after notification from appropriate local authorities.
- The Principal/principal or designee shall document lockdowns and send a copy of the required documentation to the Safety Coordinator in the Frankfort office.

2. Lockdown with Intruder Procedures

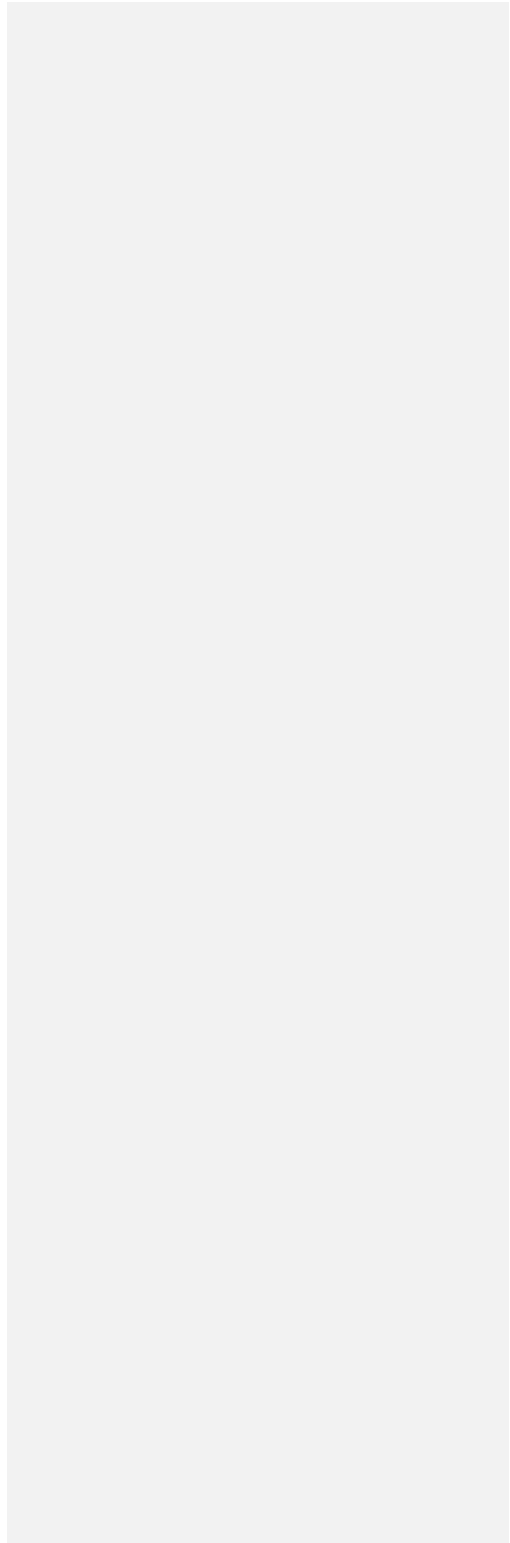
- To initiate intruder lockdown procedures, the Principal/principal or designee shall:
 - a. Order and announce “**lockdown with intruder procedure.**”
 - The announcement shall be repeated several times.
 - Announcements must be direct, because code words may lead to confusion.
 - b. The Principal/principal or designee shall direct someone to call 911, so appropriate law enforcement authorities and emergency response teams may be dispatched.
 - c. The Principal/principal or designee shall immediately direct all students, staff and visitors into nearest classroom or secured space.
 - d. Staff shall **NOT ALLOW anyone outside the building to enter the building.**
 - e. The Principal/principal or designee shall determine a primary evacuation site and have those students report there.
 - f. Staff shall provide assistance to those needing special assistance.
 - g. Staff **SHALL NOT lock exterior doors.**
 - h. Staff shall lock classroom doors.
 - i. Staff shall move people away from windows and doors, pull shades, turn off lights, keep out of sight and direct all individuals to remain quiet and calm.
- Teacher shall take a head count and list names of each individual in the room.
- All individuals shall take cover under desks or tables and remain low to the ground.
- Individuals SHALL NOT respond to anyone at the door until “all clear” is announced by the Principal/principal or designee.
- The Principal/principal or designee shall announce “all clear” after notification from appropriate local authorities.
- The Principal/principal or designee shall document the lockdown and mail a copy of the documentation to the Safety

SCHOOL FACILITIES

05.411
(CONTINUED)

Building Lockdowns

Coordinator in Frankfort office.



Building Lockdowns

PROCEDURES (CONTINUED)

3. Shelter in Place Procedures

To initiate shelter in place procedures, the ~~Principal~~principal or designee, shall:

- Order and announce: **“Shelter in place procedure.”**
 - a. Repeat the announcement several times.
 - b. Be direct because code words may lead to confusion.
- Immediately direct all students, staff and visitors into the nearest classroom.
- Direct staff to assist those needing special assistance.
- Direct staff to close and tape all windows and doors and seal the gap between bottom of door and the floor.
- Turn off air conditioning units and other air handling units.
- Not allow anyone to leave the classroom.
- Direct all occupants to stay away from doors and windows.
- Wait for further instructions from authorities.

The ~~Principal~~principal or designee shall document the lockdown and mail copy to Safety Coordinator in Frankfort office.

REFERENCES:

- [KRS 158.162](#)
- [KRS 158.164](#)

RELATED POLICY:

05.4

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Severe Weather/Tornado Drills

Each center shall establish a severe weather emergency plan. The Kentucky Division of Disaster and Emergency Services and National Weather Service Offices in Kentucky have prepared a *Guide for Developing a Severe Weather Plan for Kentucky TECH Schools* to assist center personnel in developing this plan.

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established to include, but not be limited to, the following components:

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of the best available safe zones for each facility, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency as part of the school emergency planning process and posted in each room of the school;
3. Protective measures to be taken before, during, and following severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

Students shall be provided information during orientation on what the correct procedures to follow are in the event of actual severe weather. Staff and students should be directed to the designated shelter area if it is necessary to remain in the building. For tornadoes, once in the sheltered area, everyone should sit facing the interior wall with knees and head down, hands covering face and head. Staff and students should remain in the shelter area until instructed to move.

Whether the ~~Principal-principal~~ retains students and staff in the building or evacuates will depend upon the advice of the police department, fire department, and local Office of Emergency Management instructions.

TIMES FOR DRILLS

Severe weather/tornado and safe area evacuation drills are to be held during the first thirty (30) instructional days of the school year and in January in keeping with the schedule set by the local school district. Designated school primary and secondary evacuation routes are to be posted by any doorway used for evacuation.

DOCUMENTATION

The ~~Principal-principal~~ is responsible for implementing this policy.

Each school shall have on file a Severe Weather Checklist that identifies critical facility information and the communication system available to notify staff and students of a weather alert. Drills shall be documented using the [Fire, Earthquake, Lockdown, and Tornado Drill Form](#).~~Fire, Earthquake, Lockdown, and Tornado Drill Form.~~

NOTE: If catastrophic or life-threatening weather conditions created by a hurricane, tornado, flood or blizzard make it necessary for authorities to order evacuation or shut down the place of employment, employees required to evacuate or report to a location that has been shut down shall not be required to make up the time that is lost.

SCHOOL FACILITIES

05.42
(CONTINUED)

Severe Weather/Tornado Drills

REFERENCES:

[KRS 158.162](#)
[KRS 158.163](#)

RELATED POLICIES:

03.1332
05.4

Adopted/Amended: 8/5/2015
Order #: XII

Bomb Threats

EVACUATION PROCEDURES

In the event a bomb threat is received, school staff shall adhere to the following procedures. The person receiving the call shall:

1. Keep the caller on the phone as long as possible and do not hang up.
2. Call an adult to the phone if possible, if a student took the call.
3. Signal to someone nearby to alert the Principal’s office.
4. Write down everything the caller says. Attempt to find out:
 - a. When ~~is~~ the bomb ~~is~~ going to explode?
 - b. Where ~~it is~~ ~~is it~~ right now?
 - c. What ~~does~~ it looks like?
 - d. What kind ~~it~~ of bomb is it?
 - e. What will cause it to explode?
 - f. Did the person place the bomb?
 - g. Why was the bomb placed?
 - h. What is the name and address of the caller?
5. Call the police (911 or local police).
6. Pass information and instructions to teachers, orally or by messenger, as directed by the ~~Principal-principal~~ or designee.
7. Complete the necessary documentation.

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The ~~Principal-principal~~ or designee will be responsible for the following:

- Directing occupants to evacuate the building. (Staff and students shall move far enough away from the building to protect against debris in the event of an explosion.)
- Calling the Office of Career and Technical Education to notify the necessary administrators.
- Announcing when staff and students may return to the building only after advised to do so by police.

REFERENCES:

- [OAG 77-254](#)
- [KRS 508.075](#)
- [KRS 508.078](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Earthquakes

PROCEDURES

The ~~Principal~~ principal shall schedule a minimum of two (2) earthquake and safe area evacuation drills during each school year in keeping with the schedule set by the local school district. Drills shall be held during the first thirty (30) instructional days of the school year and in January.

Each area technology center shall have one (1) "Drop and Cover" earthquake drill per year during the same time as the local school district drill. Students shall be informed of the procedures to follow during and after an earthquake. This information shall be printed in the student handbook and covered during the orientation process.

Students shall be informed of the following:

- Take cover under a table or desk.
- If the table or desk moves, hold the legs and move with it.
- Stay under shelter until shaking stops.
- Listen for a signal to evacuate the building.

- The ~~Principal~~ principal and/or school staff shall do the following:

- Make a quick assessment of the situation.
- Decide whether to evacuate or to call for rescue officials.
- Signal an evacuation with whatever means available.
- Alert staff to known hazards along route or blocked exits.
- Be prepared to respond quickly to injuries, fires, hazardous materials and trauma.
- Account for all students.
- Calm and reassure frightened/injured students.
- Release students only to appropriate adults with help of police and/or appropriate officials, keep record of student releases.
- Complete necessary reports.

Drills shall be documented using the Fire, Earthquake, Lockdown, and Tornado Drill Form and keep a copy of the documentation on file.

REFERENCES:

[KRS 158.162](#)
[KRS 158.163](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Weapons

This policy applies to students, staff members, and visitors to the school.

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or ~~possessing possession of~~ any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

EXCEPTIONS:

- Each School Resource Officer (SRO) shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²
- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in [KRS 527.070](#).
- Law enforcement officials, including peace officers and police as provided in [KRS 527.070](#) and [KRS 527.020](#), are authorized to bring weapons onto school property in performance of their duties.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the ~~Principal-principal~~ or designee immediately make a report to the ~~Principal-principal~~ of the sending high school and to Associate Commissioner, Office of Career and Technical Education. In addition, when they have reasonable belief that a violation has taken place, the ~~Principal-principal~~ or designee shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

FEDERAL REQUIREMENTS REGARDING STUDENTS

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to an area technology center or onto the center campus/property under jurisdiction of the local district shall be expulsion for a minimum of twelve (12) months. However, the local board of education may modify such expulsions on a case-by-case basis. Any case-by-case modification of the ~~twelve (12)-month~~ ~~year~~ ~~expulsion~~ requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.¹

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

Weapons

STATE POSTING REQUIREMENTS

The following notice shall be posted in prominent locations in the school. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.¹

The above criminal penalty shall not apply to those persons listed in [KRS 527.070](#) (3).

WEAPONS STATE REPORTING REQUIREMENTS

Employees of the area technology center shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

ENFORCEMENT

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

REFERENCES:

¹[KRS 527.070](#); [KRS 158.150](#); 20 U.S.C. §7141 (Gun-Free Schools Act)

²[KRS 158.4414](#)

18 U.S.C. §921(a)

[KRS 158.154](#); [KRS 158.155](#); [KRS 160.290](#); [KRS 160.340](#); [KRS 161.790](#)

[KRS 237.106](#); [KRS 237.110](#) [KRS 237.138](#) to [KRS 237.142](#)

[KRS 500.080](#); [KRS 508.075](#); [KRS 508.078](#); KRS 527:020

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

Section 504 of the Rehabilitation Act of 1973, as amended

RELATED POLICIES:

02.31; 09.436; 09.4361

Adopted/Amended: 8/6/2020

Order #: XVII.A.4

Campus Security

Security of the facility and equipment shall be maintained at all times. Signs directing visitors to the front office to check in shall be posted on all entrance doors to the facility. Classrooms and laboratories shall be locked when classes are not in session and the teacher is not present.

CRIME AWARENESS

This policy was adopted and became effective in 1992 as a part of fulfilling the requirements of the “Student Right-to-Know and Campus Security Act” and because Kentucky TECH is committed to providing a safe and secure environment for all students and employees. Conduct that violates the intent, intent or poses unacceptable risk upon other members of the Kentucky TECH community shall result in appropriate action as defined by school policy.

Students and staff shall be informed about campus security procedures and practices. For students, this information will be included in the student handbook. For staff, this information will be provided during the initial employment orientation, at the beginning of the school year, and in the staff handbook.

A variety of approaches are utilized for crime prevention, such as: +officers, appropriate lighting, light sensors, vacant building checks, local police patrols, staff monitoring of facilities and grounds, video monitoring and closed circuit cameras, audio surveillance (if used, signs must be posted at public entrances), visitor control process, burglar alarm, motion detection system, key control system, and magnetic door trips with automatic dials to police. Additionally, crime prevention efforts shall include the dissemination of information at student orientation, faculty in-services, and student organizations, where appropriate conduct at school-sponsored events is stressed.

PROCEDURES

- Students, employees, and others shall report criminal actions, or other emergencies occurring on campus, to the Principal-principal or designee, who shall respond to each report with appropriate action and document the action taken.
- The Principal-principal shall select the most appropriate security approaches for the school to maintain a safe and secure environment.
- The Principal-principal shall maintain a working relationship with both the local and state police.
- The Principal-principal or designee shall make an accurate report within twenty-four (24) hours of a reported occurrence to the Associate Commissioner, Office of Career and Technical Education (OCTE).
- Students and employees shall be encouraged to be responsible for individual security and the security of others. The cooperation and involvement of students and employees in a campus safety program are absolutely essential. Students and employees shall assume responsibility for their own personal safety and security of personal belongings by practicing simple and common sense precautions.
- At off-campus, school-sponsored events, such as student organization activities, the assigned advisor(s) shall monitor the events. All criminal occurrences shall be reported by the advisor to the Principal-principal or designee.

SCHOOL FACILITIES

05.5
(CONTINUED)

Campus Security

PROCEDURES (CONTINUED)

The ~~Principal-principal~~ shall report campus security statistics each year as directed by the Associate Commissioner, ~~Office of Career and Technical Education (OCTE)~~. This report shall include criminal offenses reported to campus security, number of arrests, prevention efforts, education programs, and completion rate.

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REFERENCES:

[KRS 158.162](#)

Student Right-to-Know and Campus Security Act

RELATED POLICIES:

05.4

09.2211

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Equipment Insurance

When payment for equipment is made, eMARS automatically recognizes equipment as a fixed asset. The ~~Principal~~ principal /designee must complete information pertaining to the equipment so that insurance is activated. Equipment must be entered when payment is made. If equipment is not added to eMARS inventory, insurance will not cover it after ninety (90) days from date of purchase.

REFERENCES:

[KRS 156.858](#)
[780 KAR ~~007~~:060](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Competitive Foods

MINIMAL NUTRITIONAL VALUE

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations.

DEFINITIONS

“Competitive Food” shall mean all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time from midnight before to thirty (30) minutes after the end of the official school day.

“School Campus” shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

Fund-raising activities held off of the school campus or not during the school day are not subject to regulatory requirements of [702 KAR 006:090](#) or federal competitive food limitations.

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 220.12

[KRS 156.160](#); [KRS 158.850](#); [KRS 158.854](#); [702 KAR 006:090](#)

U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICY:

07.12

Adopted/Amended: 2/4/2015

Order #: XX.A.2

Vending Machines**REQUEST**

Vending machines will be installed in the school only at the request of the ~~Principal~~principal and subject to approval by the Associate Commissioner of the Office of Career and Technical Education (OCTE) or his/her designee.

BIDDING

Area Technology Centers are to follow the Kentucky Model Procurement Code contained in KRS Chapter 45A for the procurement and servicing of vending machines.

STUDENT USE

Vending machine use by students shall be in compliance with current federal and state regulations.

For students at the high school level, only school-day-approved beverages may be sold in vending machines during the school day, e.g. (water, one hundred percent [100%] fruit/vegetable juice, low-fat milk (unflavored), and non-fat milk (unflavored or flavored), as permitted by the school meal requirements.

In addition to the beverages listed above, other beverages as allowed in 7 C.F.R. Parts 210 and 220 may be available in vending machines at the high school level.

Size of beverages shall not exceed twenty (20) ounces for high schools.

SALES

Any sales from vending machines shall be in compliance with applicable state and federal law and regulation. Specifically, competitive foods or beverages shall not be sold from vending machines from midnight the night before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

REFERENCES:

KRS Chapter 45A

[KRS 156.160](#)

[KRS 158.854](#)

[KRS 160.290](#)

7 C.F.R. 210.11b

7 C.F.R. 220

[702 KAR 006:090](#)

RELATED POLICY:

07.111

Adopted/Amended: 6/7/2017

Order #: XIII(A)(1)

Curriculum

All programs in area technology centers shall follow the KDE/OCTE Program of Studies (POS). Programs consist of individual courses containing technical content. A complete listing of programs, course titles, and course lengths is available on the Office of Career and Technical Education's website <http://education.ky.gov/CTE/Pages/default.aspx>. All courses align with the Kentucky Department of Education's Career and Technical Education Program of Studies. The Kentucky TECH curriculum is aligned with:

- The Kentucky Department of Education's Academic Standards and aligned with student development goals set out in [KRS 158.6451](#); and
- Program specific business and industry standards

Career and technical preparation programs shall provide a curriculum of sufficient length to permit students to secure entry level skills in the occupation for which they are training.

Programs in grades six (6) through eight (8) shall be designed to allow students to become aware of and explore clusters of occupations. Programs in grades nine (9) through twelve (12) shall provide in-depth exploration, specialized skill development and preparation for advanced education.

CURRICULUM REVISIONS

Area Technical Centers must use the [pathway](#) course sequence identified in the POS. Requests to change courses in the sequence are to be submitted using the *Career Pathway [Modification Request Process](#)*.

PROGRAM ADVISORY COMMITTEES

An active advisory committee shall be organized at the program level with committee responsibilities to be determined in accordance with Kentucky Administrative Regulation consisting of a minimum of five (5) members. The membership of the committee shall be composed of employers, community agency representatives, certifying agency representatives, postsecondary partners and former students in the field. All program advisory committees shall have membership that is representative of the community (males, females, minorities, persons with disabilities). (See *[Advisory Committee Program Membership Record](#)*.)

The program advisory committee shall counsel, advise, and consult with the program area teacher on:

- Implementation of curriculum
- Safety
- Equipment needs
- Projects for student learning
- Advocacy of the program in the community
- Recruitment of students
- Work-based learning
- Job placement of students
- Postsecondary transition
- Industry Certification
- Development of a vision for the program

Curriculum

PROGRAM ADVISORY COMMITTEES (CONTINUED)

Program advisory committees shall have at least two (2) meetings per year. A chairperson shall be elected by the committee. Agendas and minutes of meetings shall be maintained on file to document the meeting dates and recommendations of the committee. (See *Format for Minutes of Meetings* and *Advisory Committee Program Recommendations*.) ~~Committee members shall complete the Advisory Committee Evaluation Program Profile annually.~~

~~(See *Advisory Committee Program Evaluation Profile*.)~~

CONTINUOUS IMPROVEMENT VISITS (CIV) PROGRAM ASSESSMENT

Assessment of the career and technical education programs shall be conducted in accordance with requirements and instruments approved by the Office of Career and Technical Education (OCTE). Staff from the ~~Office of Career and Technical Education~~ OCTE shall conduct annual evaluations of career and technical education programs, based on state and federal accountability data, and identify programs for technical assistance and continuous improvement visits.

STEERING COMMITTEE

Each Kentucky area technology center serving secondary students shall have a steering committee, whose composition and responsibilities shall comply with applicable Kentucky Administrative Regulations. The steering committee is to consult, counsel, and advise on matters pertaining to the operation of the school, ~~not limited to~~ the following areas:

- Annual and long-range program planning
- Operation and management procedures
- Programs to be offered
- Curriculum development
- In-service training of personnel
- Enrollment quotas for secondary students from the participating local school districts
- CTSO's Discipline of students
- Class and school schedules
- Transportation of students
- Equipping and maintaining the facilities
- Program evaluation
- Student counseling and guidance
- Records and reports
- Training needs in the community
- Review of Goals and Mission of School

The steering committee shall provide organized and regular contact with and participation by representatives from each local school district and the business and industry community. The committee shall be composed of the following: (See *Steering Committee Membership*.)

1. Principal of the area technology center
2. Superintendent or designee of each cooperating school district
3. Board member from each cooperating school district
4. Principal or designee from each cooperating school district
5. Member from each site-based council
6. Local labor market area representatives (Business and Industry)
7. Guidance counselor from each cooperating school district
8. Local and State Officials (Recommended but not required)

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Curriculum

STEERING COMMITTEE (CONTINUED)

The steering committee shall have a minimum of one (1) regularly scheduled meeting per semester and ~~may~~ called meetings as needed. The ~~Principal-principal~~ of the technology center shall serve as the chairperson. The planned agenda and minutes shall be recorded for each meeting.

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STUDENTS WITH DISABILITIES

The school shall operate its programs so that students with disabilities are instructed in accordance with the legal obligations contained in the local school district's policy and procedures manual relating to such programs.

REFERENCES:

- [KRS 156.162](#)
- [KRS 158.183](#); [KRS 158.188](#)
- [KRS 158.302](#)
- [KRS 158.645](#); [KRS 158.6451](#)
- [704 KAR 003:303](#)
- [705 KAR 004:231](#)
- [780 KAR 002:030](#); [780 KAR 002:040](#)
- [Kentucky Academic Standards](#)

RELATED POLICY:

08.5

Adopted/Amended: 8/6/2020
Order #: XVII.A.4

Carl D. Perkins Programs

Career and technical education programs shall meet the performance indicators in accordance with the requirements of the [Strengthening Career and Technical Education for the 21st Century Act, 20 U.S.C. 2301 2414 \(Perkins V\)](#) and in accordance with [705 KAR 4:231, Carl Perkins Vocational-Technical Education Act, 20 USC 2301–2471](#).

~~The Carl D. Perkins Career and Technical Education Act continues the theme of program improvement, but the focus is on increasing the academic and technical knowledge and skills of secondary and postsecondary students who choose to enroll in career and technical education programs. Increasing or continuously improving the academic and technical attainment of skills of career and technical education students requires more effective instruction and keeping program content current/relevant with the needs, expectations, and methods of business and industry. The integration of academics with technical content is the instructional strategy used to increase academic and technical attainment of students. The academics are embedded in the technical content.~~

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~~Career and technical education means organized educational activities that provide for the following:~~

~~A. Offers a sequence of courses that—~~

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~~I. Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;~~

~~II. Provides technical skill proficiency, an industry recognized credential, a certificate, or an associate degree; and~~

~~III. May include prerequisite courses (other than a remedial course) that meets the requirements of this subparagraph; and~~

~~B. Includes competency based applied learning that contributes to the academic knowledge, higher order reasoning and problem solving skills, work attitudes, general employability skills, technical skills, and occupation specific skills, and knowledge of all aspects of an industry, including entrepreneurship of an individual.~~

~~The Act also requires states to implement “Programs of Study”. A Program of Study has several components that result in a cooperative agreement between at least one (1) secondary institution and one (1) postsecondary institution having an agreement to give secondary students postsecondary credit for knowledge and skills acquired at the secondary level.~~

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~~The official definition of a Program of Study is as follows:~~

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~~Career and technical content areas that—~~

~~1. Incorporate secondary education and postsecondary education elements;~~

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~~2. Include coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, non-duplicative progression of courses that align secondary education with postsecondary education to adequately prepare secondary students to succeed in postsecondary education;~~

~~3. May include the opportunity for secondary students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary credit; and~~

~~4. Lead to an industry recognized credential or certificate at the postsecondary level, or an associate degree or a baccalaureate degree.~~

Carl D. Perkins Funds

The Kentucky Board of Education is the eligible agency to receive the Carl D. Perkins funds and designated the Office of Career and Technical Education as the agency responsible for administering, managing, and implementing and evaluating the outcomes of implementing the requirements of the Act. The Perkins funds must be used for approved career and technical education programs in high schools in local boards of education, area technology centers, and postsecondary institutions that offer associate degree or diploma programs in career and technical education. Baccalaureate degree career and technical education programs are not eligible for funding.

Eighty-five percent (85%) of the Perkins funds are designated for eligible recipients. The State is responsible for determining the split between secondary and postsecondary career and technical education. Eligible recipients are required to apply for federal funds to supplement non-federal funds. The federal funds shall be used to meet the requirements in the Act and to add value to the career and technical education programs. Each eligible recipient is required to complete a local application for funding; the application identifies what the improvements are and why the improvements were chosen for funding. Perkins funds are available for one fiscal year and the expenditures must occur in that fiscal year. The funds should be expended early, after approval of the local application, to immediately implement the improvements, monitor the improvement process as they are made to identify weaknesses that need to be corrected, and determine the success of the improvements by the end of school. A state may choose to reserve ten percent (10%) of the eighty-five percent (85%) portion of the funds for competitive projects for eligible recipients (schools) to apply.

Funding for secondary career and technical education programs and postsecondary career and technical education programs are determined by formula that is prescribed in the Act. The formula for secondary and postsecondary are different criteria. Both formulas look at financial need.

The remaining fifteen percent (15%) of the Perkins funds are for implementing the requirements of the law and for statewide activities that benefit all career and technical education programs. Five percent (5%) is for the administration of the Act and ten percent (10%) is for the statewide leadership activities. One percent (1%) of the total Perkins grant is reserved for programs in state institutions and a second reserve from \$60,000 to \$150,000 is for promoting nontraditional occupations. The balance of the ten percent (10%) is used for activities such as curriculum development or revision, professional development for teachers to become more effective teachers.

ACCOUNTABILITY

~~The accountability requirements initiated in the 1998 Act is continued in the 2006 Act. Some of the performance indicators have been tweaked to gather more data to demonstrate the success of students who are products of career and technical education. Each year the performance indicators are renegotiated. The renegotiation is based on the prior year performance. Institutions that do not meet the performance goals must write a plan for improvement and send the plan to the Office of Career and Technical Education. If the State does not meet its performance measures, it is also required to write an improvement plan.~~

REFERENCE:

[Strengthening Career and Technical Education for the 21st Century Act, 20 U.S.C. 2301-2414 \(Perkins V\)](#)~~[Carl Perkins Vocational-Technical Education Act, 20 USC 2301-2471](#)~~

[705 KAR 4:231](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Program Completion

HIGH SCHOOL CREDIT

The area technology center shall recommend that high school credit be given to secondary students completing career and technical education courses on the same basis as credit for courses taken at the sending high school. Credit shall be granted based on the sending high school's plan that has been approved by the Kentucky Department of Education.

CIVICS EXAM REQUIREMENT

Students wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program or a Section 504 Plan.

SENIOR PLAN

A senior plan will allow and encourage high school seniors to attend an area technology center for up to five (5) hours per day during their senior year. A plan shall be developed with input from participating high school(s) and be approved by the local board(s) of education and site-based council(s).

The following guidelines shall be followed:

1. The student shall be a high school senior.
2. The student shall have completed all course work required for high school graduation at his/her home high school, except for Senior English.
3. The student shall observe the technology center's calendar.
4. Prior to enrolling in this plan, the student shall meet the postsecondary entrance requirements (except high school graduation) for the program in which he/she is seeking enrollment.
5. The student shall be required to follow the published attendance guidelines.
6. The student shall be allowed to attend high school activities as approved by the principals of the sending high school and the area technology center.

A student who is removed from this program for attendance issues and/or academic violations shall be returned to the sending high school. The student may be eligible to reenroll in the area technology center under the regular program if approved by the principals of the sending high school and the area technology center.

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in [KRS 158.135](#), shall be eligible to seek attainment of a High School Equivalency Diploma.

COMPLETER

A Completer is a student who has completed four (4) high-school credits in an approved sequence of [career and technical education](#) courses relevant to a career pathway.

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Program Completion**CAREER PATHWAY**

All students completing the following requirements may be awarded a career pathway certificate by the local high school:

1. Four (4) high school credits in a coherent sequence of technical courses relevant to the career pathway;
2. High school graduation;
3. A career-related culminating project; and
4. A work-based learning experience related to the career pathway.

The career pathway is the central focus for developing an Individual Learning Plan. Each student must complete an Individual Learning Plan (ILP) by the end of the sixth (6th) grade that incorporates emphasis on career development and addresses KDE academic expectations. 2.36-2.38. (See Academic Expectations on the Kentucky Department of Education's website.)

CERTIFICATES

Business and Industry Certificate—Many programs prepare for industry certifications. Upon completion of related coursework, students are prepared to take exams for industry certification or continue to postsecondary programs for additional preparation. These certifications are issued by the evaluating agency/organization.

Skill Standards Certificate (KOSSA)—

Junior: A junior career and technical concentrator (enrolled in at least the 3rd credit of a career pathway) may participate in the Kentucky Occupational Skill Standards Assessment for their program area of study.

Senior: A senior career and technical concentrator (enrolled in at least the 3rd credit of a career pathway) must participate in the Kentucky Occupational Skill Standards Assessment for their program area of study.

Successful students will receive a Skill Standards Certificate.

Skill Standards Assessment resources and sample scenarios can be found under Instructional Resources, Career and Technical Education on the Kentucky Department of Education's website for KOSSA:

<http://education.ky.gov/CTE/kossa/Pages/default.aspx>

REFERENCES:

[KRS 156.027](#); [KRS 158.135](#)
[KRS 158.141](#); [KRS 158.143](#); [KRS 158.183](#); [KRS 158.281](#)
[KRS 158.302](#); [KRS 158.645](#); [KRS 158.6451](#)
[702 KAR 007:125](#); [704 KAR 003:305](#); [704 KAR 003:306](#); [705 KAR 004:231](#)

RELATED POLICIES:

08.1131; 08.14; 08.222; 08.4

Adopted/Amended: 6/7/2017
 Order #: XIII(A)(1)

Work-Based Learning

A secondary career and technical education program shall provide opportunities for students to participate in high quality work-based learning experiences related to the program in which they are enrolled and shall comply with [705 KAR 004:041](#). Work-based learning experiences may include:

1. Job shadowing;
2. Mentoring;
3. Service Learning;
4. School-based enterprises;
5. Entrepreneurship;
6. Internships;
7. Cooperative education; or
8. ~~Registered~~Pre-Apprenticeship.

WORK-BASED LEARNING MANUAL

~~The Office of Career and Technical Education Work-based Learning Manual is a~~ guide to all work-based learning experiences ~~and is incorporated by reference within 705 KAR 4:041. It is a requirement that all work-based learning experiences affiliated with instruction in an area technology center adhere to the manual. The manual, as well as~~ ~~including~~ sample forms ~~and resources~~; can be found on the Kentucky Career and Technical Education web site:

<https://education.ky.gov/CTE/cter/Pages/WBL.aspx>

~~Sample forms are included throughout the Manual and in Appendix A, Forms.~~

Other forms and sample forms can be located via this link:

<https://education.ky.gov/CTE/kytech/Pages/default.aspx>

CLINICAL EXPERIENCE

~~Guided clinical experience shall be an integral part of the Health and Human Services educational program. The guided clinical experience shall be appropriate to the level of the trainee's skill consistent with the educational objectives of the course and shall be integrated with the classroom instruction.~~

~~The school shall use the approved standardized written agreement or a clinical facilities agreement approved by the Cabinet's legal department to arrange for clinical training sites. Each cooperating agency shall specify responsibilities and authority of each party in the agreement.~~

~~**Medicaid Nurse Aide Training Program Requirements and Guidelines: (907 KAR 001:450)**~~

~~The Medicaid Nurse Aide Course consists of a minimum of seventy five (75) hours with a minimum of sixteen (16) hours of supervised practical training. The Medicaid Services Manual for Nurse Aide Training and Competency Evaluation Program can be found on the KCTCS website <http://www.kctcs.edu/>.~~

Work-Based Learning

COOPERATIVE EDUCATION/INTERNSHIP

~~Cooperative Education refers to an educational program consisting of in-school instruction alternating with on-the-job work experience in a business or industrial setting. Cooperative education activities are planned experiences supervised by the school and the employer to ensure that each phase contributes to the student's education and career pathway.~~

~~The purpose of cooperative education programs shall be to develop occupational competence reinforced by real-life job experience.~~

~~The requirements to be met for Cooperative Education are listed in the Work-Based Learning Manual at the link below:~~

~~<https://education.ky.gov/CTE/cter/Pages/WBL.aspx>~~

~~Students shall have proof of age on file with the employer. This may be a birth certificate, driver's license or a comparable record. Students under 18 shall comply with special labor laws. For information, see the [Kentucky Child Labor Bulletin](#) and the <https://www.dol.gov/whd/childlabor.htm>.~~

~~Enrollees shall have taken the basic skill prerequisites required by the occupational program they are pursuing and be recommended by their teacher before being placed in cooperative education.~~

INTERNSHIP-STUDENT

~~Internships are typically work-based learning experiences involving students who have completed extensive school-based preparation relating to a career objective. Internships are usually one-time work experiences that may or may not lead to course credit and/or pay. Internships are conducted under the supervision of a competent job supervisor.~~

~~An internship program is most applicable to careers that require a high level of academic preparation and knowledge before a student is placed for field experience. Some internships simply involve observing professionals as they carry out their duties, while others are designed to allow students to apply hands-on activities that were taught in class.~~

~~Internships should be structured with a combination of classroom experience and field experience. A student needs time in the classroom each week for updating and progress evaluation. A specific set of competencies shall be agreed upon with the workplace personnel. The Internship Training Plan Agreement may be used to document this activity.~~

LIVE WORK PROJECTS (ON AND OFF-CAMPUS - 780 KAR 002:040)

Live work is defined as a project that meets a curriculum requirement and is completed for an individual or organization. Area technology centers shall be permitted to accept live work projects when the administrative and instructional staffs deem the projects appropriate for training purposes. Live work projects shall relate to curriculum currently being studied.

Work-Based Learning

LIVE WORK PROJECTS (ON AND OFF-CAMPUS - [780 KAR 002:040](#)) (CONTINUED)

Area technology centers accepting live work shall adhere to the following standards:

- All services performed shall be documented on work order forms provided by the Office of Career and Technical Education ([OCTE](#)). (See Form, [Work Order - Approval Request](#)) No other type of work orders shall be used. The Principal is responsible for accounting for all unused work order forms. All services performed shall be recorded on a work order log. (See Form, [Work Order Log](#))
- Anyone requesting live work shall be provided a copy of the school’s policy for accepting and performing live work. Persons requesting live work shall sign the policy form indicating that they understand the policies and agree with them. (See Form, [Work Order Agreement](#)) No preferential consideration shall be given to anyone requesting live work.
- Live work orders shall be approved and initialed by the school principal and the teacher of the class.
- No live work shall be approved for a teacher in his/her program for his/her own use.
- Live work to be performed off site shall be carefully evaluated to determine if such experience is in the best interest of the student, school, and community. All off-campus live work shall have prior approval by the Associate Commissioner for the ~~Office of Career and Technical Education~~ [OCTE](#). (See Form, [WBL - Off-Campus Training Project Request](#))
- A *Field Trip and Off-Campus Training Project Permission for Short Trips* form shall be on file for all students participating in off-campus projects. This form will cover all off-campus short trips for the school year. (See Form, [Field Trip and Off-Campus Training Project Permission for Short Trips](#))
- The Associate Commissioner of the ~~Office of Career and Technical Education~~ [OCTE](#) shall be notified immediately if there is a complaint from a local business that student work is conflicting with their business.

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STUDENT TRANSPORTATION

Students participating in Work-Based Learning projects (cooperative education, mentoring, shadowing, etc.) shall provide their own transportation if not provided by local school district. OCTE staff shall not use their personal vehicle or ATC vehicle to transport students. (Also reference: [Transportation of Students](#) in Section 12 Secondary Programs/Students)

Students traveling to off-campus training projects, student organizations events, and miscellaneous field trips are to be transported by local district school buses or in accordance with [702 KAR 005:130](#).

Work-Based Learning**MENTORING/SHADOWING**

~~Mentoring and shadowing are components of the partnership movement between schools, employers, and the community. Volunteers from the business/industry community are used on a one-on-one basis to broaden students' perspectives of the world of work. Mentoring is an opportunity for individuals to have a positive influence on the youth of today. Mentoring helps students become aware of career opportunities, work ethics, and the importance of positive self-esteem. Through shadowing experiences, students are given the opportunity to discuss items of interest and concern with the individual actually in the occupation they are shadowing. Employers are able to contribute to the education of students and showcase occupations that are not as well known or those where there will be a shortage of qualified candidates in the near future.~~

~~Students who are interested in participating in mentoring or shadowing shall complete an application and return it to the program teacher. The teacher shall be responsible for placing the student. After the mentoring or shadowing experience has been completed, the student and mentor/employer shall complete an evaluation of the experience.~~

CLINICAL PROGRAMS - STATEMENT OF UNDERSTANDING

Each student and parent, prior to being assigned to a clinical site, shall sign a Statement of Understanding. It covers the student's requirements to adhere to school policies, rules, and regulations; patient confidentiality; liability insurance requirement, immunization requirements, and other pertinent information. The legal guardian shall sign the Statement of Understanding if the student is a minor.

REFERENCES:

[KRS 343.010](#); [KRS 343.050](#); 29 C.F.R., Pts. 29 and 30
[702 KAR 5:130](#)
[KAR 005:130](#)
[705 KAR 4](#)
[705 KAR 004:041](#)
[705 KAR 004:231](#)
[780 KAR 002:040](#)
[907 KAR 001:450](#)

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Articulation/Dual Credit

Articulation is the process of linking secondary schools and postsecondary institutions for the purpose of assisting students in making a smooth transition from one level to another without experiencing delays, duplication of courses and/or loss of credit. Program area consultants may be contacted for a list of articulation agreements currently in place. Some area [technology](#) centers have negotiated individual agreements with postsecondary institutions.

The Statewide Dual Credit Agreement between the Kentucky Department of Education and the Kentucky Community and Technical College system allows career and technical education students to simultaneously enroll in high school and community and technical colleges for dual credit. Kentucky Tech students may transfer college credit earned through dual enrollment to any of the community and technical colleges in the state.

REFERENCE:

[705 KAR 004:231](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Career and Technical Education**MAXIMUM ENROLLMENT**

The maximum enrollment of students in career and technical education classrooms, laboratory or shop settings, and out-of-school settings shall be in compliance with Kentucky Administrative Regulations. The number of students enrolled in a class shall not exceed the number of work stations available in the facility. For a laboratory or shop setting, the maximum enrollment shall not exceed the appropriate number of students that the laboratory or shop can safely maintain, based upon the number of available workstations, dimensions of the room, and safety protocols.

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REFERENCES:

[KRS 156.488](#); [KRS 157.072](#); [KRS 157.360](#)

[KRS 158.810](#); [KRS 158.812](#); [KRS 158.814](#); [KRS 158.816](#); [KRS 158.818](#)

[705 KAR 004:231](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Special Populations

FEDERAL AND STATE REQUIREMENTS FOR SPECIAL POPULATIONS

A secondary career and technical education program shall be designed to accommodate students with special learning needs. This includes students experiencing various barriers to learning, students with disabilities, and students with limited English proficiency.

Under 34 C.F.R. §300.149, the Kentucky Department of Education (KDE) is responsible for the general supervision of each public Kentucky educational program for students with disabilities, including career and technical education programs. The Office of Career and Technical Education (OCTE) ~~and Student Transition~~ must meet the mandates of federal and state regulations as it relates to general education and special education of students with disabilities. This includes the responsibility of the area technology centers (ATC) to accommodate and seek ways to serve students with disabilities. ~~The Booklet entitled, "Guidelines for Vocational Education Programs: 1991-1996" provides for explanation, direction, and processes for serving special populations.~~

<http://www.ed.gov/about/offices/list/ocrt/does/vocre.html>

STUDENTS WITH DISABILITIES

When serving students with disabilities in career and technical education programs, the ~~Principal~~ **principal**:

- Shall not deny a student with a disability participation in a program simply because the student has a disability;
- Must implement Individual Education Programs (IEP) and 504 Plans;
- Shall not develop or implement unnecessary eligibility standards, grading policies or rules that deny equal opportunity for students with disabilities to participate;
- Must give special consideration as required by law and directed by local board of education policy when considering suspension of students who are covered under IDEA or Section 504;
- Shall communicate with special education administration for each student's sending school district when staff observe educational concerns involving the student;
- Must ensure a free, appropriate public education (FAPE) is being provided; and
- An ARC meeting or 504 meeting must be convened prior to the removal of any student with a disability from a CTE program due to lack of not meeting grading requirements for participation.

The following federal laws are relevant and apply to the education of student with disabilities in public school programs:

- Section 504 of Rehabilitation Act of 1973
- Americans with Disabilities Act
- Individuals with Disabilities Education Act (IDEA)

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Special Populations

Students who have an IEP or reasonable accommodations and services under Section 504 may need modified instruction and/or testing in order to effectively demonstrate their knowledge of the curriculum.

If a student has an IEP or 504 Plan, ATC personnel are highly encouraged to work directly with the Admissions and Release Committee (ARC) or designated resource teacher to ensure a FAPE is provided and all required accommodations are met. Area technology center teachers are members of the ARC for students who are enrolled in their program with an IEP. Teachers are highly encouraged to participate in ARC meetings involving their students.

In addition to the requirements outlined above, the administration at each ATC is required to ensure that all relevant ATC staff have access to student Individual Education Programs (IEPs). Similarly, administration at each ATC must fully inform relevant ATC staff when a student receives reasonable accommodations and services under Section 504.

EDUCATIONAL RECORDS

The records of students are to be kept confidential. Documentation is critical. This could include keeping documentation on phone calls to the high school or parent/guardian, any modifications made to instruction, and any type of accommodations that are made.

The ~~Office of Career and Technical Education~~ **OCTE** shall consult with the Office of Special Education and Early Learning prior to any revision or amendment to this policy.

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REFERENCES:

[705 KAR 004:231](#)

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

<http://www.ed.gov/policy/speced/guid/idea/idea2004.html>

[KRS 157.200](#)

707 KAR Chapter 1

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

RELATED POLICY:

09.14

Adopted/Amended: 6/5/2019

Order #: XXIII.B.2

Essential Workplace Programs**INDICATORS**

Beginning with the 2019-2020 school year, the ATC shall implement essential workplace ethics programs that promote characteristics that are critical to success in the workplace. Each student in elementary, middle, and high school shall receive essential workplace ethics instruction that includes but is not limited to the following characteristics:

- a) Adaptability, including an openness to learning and problem solving, an ability to embrace new ways of doing things, and a capability for critical thinking;
- b) Diligence, including seeing a task through to completion;
- c) Initiative, including taking appropriate action when needed without waiting for direct instruction;
- d) Knowledge, including exhibiting an understanding of work-related information, the ability to apply that understanding to a job, and effectively explain the concepts to colleagues in reading, writing, mathematics, science, and technology as required by the job;
- e) Reliability, including showing up on time, wearing appropriate attire, self-control, motivation, and ethical behavior;
- f) Remaining drug free; and
- g) Working well with others, including effective communication skills, respect for different points of view and diversity of coworkers, the ability to cooperate and collaborate, enthusiasm, and the ability to provide appropriate leadership to or support for colleagues.

The ATC shall use these characteristics when creating or choosing an existing program. By January 1, 2019 and every two (2) years thereafter, the local school boards shall collaborate with the local workforce investment board, in conjunction with local economic development organizations and other economic, workforce, or industry organizations the workforce investment board deems necessary, to establish essential workplace ethics indicators for middle and high school students that are aligned with the characteristics listed above.

ATTAINMENT

The local school boards shall design and adopt a diploma seal, certificate, card, or other identifiable symbol to award students deemed as having minimally demonstrated attainment of the board's essential workplace ethics indicators.

REPORTING REQUIREMENT

By September 1, 2019, and every two (2) years thereafter, the Associate Commissioner shall provide a report to the Commissioner of Education, in a format specified by the Commissioner, describing the ATC's essential work ethics programs and their implementation at each school.

REFERENCES:

[KRS 158.1413](#)

Adopted/Amended: 10/2/2018

Order #: XVII.A.1

Controversial Issues

JUDGMENT

Teachers are expected to exercise reasonable and prudent judgment in the selection and use of materials and discussion of issues in their classrooms.

ISSUES

The study of controversial issues shall be objective and scholarly. Issues discussed shall be appropriate for and within the range of knowledge, understanding, age, and maturity of students and shall be current, relevant, and significant to the instructional program.

MATERIALS

All classroom materials shall be current, relevant, and significant to the instructional program. Materials shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students.

NOT DISRUPTIVE

Neither issues nor materials that have a potentially disruptive effect on the educational process shall be discussed or chosen.

CONFERENCE WITH PRINCIPAL

Teachers who suspect that materials or a given issue may be inconsistent with this policy shall confer with the ~~Principal~~ principal prior to the classroom use of the materials or discussion of the issue. If the ~~Principal~~ principal is in doubt, he shall confer with the Associate Commissioner.

REFERENCE:

[KRS 158.183](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Human Sexuality

Per [KRS 158.1415](#), in Area Technology Centers (~~ATC~~) which provide a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

- a) Abstinence from sexual activity is the desirable goal for all school-age children;
- b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
- c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
- d) The Kentucky Tech policy to respect parental rights by ensuring that:
 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; and
 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) The ~~Area Technology Center~~ ~~ATC~~ ~~Principal-principal~~ and/or instructor delivering content on human sexuality shall notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

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CURRICULUM REQUIREMENTS

Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall:

- a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required by law;
- b) Be subject to an inspection by parents of participating students that allows parents to review the following materials:
 - 1) Curriculum;
 - 2) Instructional materials;
 - 3) Lesson plans;
 - 4) Assessments or tests;
 - 5) Surveys or questionnaires;
 - 6) Assignments; and
 - 7) Instructional activities;
- c) Be developmentally appropriate; and
- d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with [KRS 160.345](#).

Human Sexuality

CURRICULUM REQUIREMENTS (CONTINUED)

A public school offering any course, curriculum, or program on the subject of human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum, or program. The written notification shall:

- a) Inform the parents of the provisions of the course or curriculum;
- b) Provide the date the course, curriculum, or program is scheduled to begin;
- c) Detail the process for a parent to review the materials;
- d) Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
- e) Provide the contact information for the teacher or instructor of the course, curriculum, or program and a school administrator designated with oversight.

This shall not prohibit school personnel from:

- a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to [KRS 160.345](#); or _____
- b) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to [KRS 160.345](#).

REFERENCES:

[KRS 158.1415](#); [KRS 160.345](#)

RELATED POLICIES:

08.1; 08.23; 08.2322

Adopted/Amended: 8/3/2023
Order #: VIII.B

Counseling Services

Continuous efforts shall be made to make students aware of the programs and services available that provide information and professional services on matters related to abuse of alcohol, drug abuse, harassment, safety, policies and procedures, etc. Students are encouraged to contact the school guidance counselor at their home high school for information and an appropriate referral.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.

REFERENCES:

KRE 506 (Kentucky Rules of Evidence)
[KRS 61.878](#)
[KRS 158.154](#); [KRS 158.155](#); [KRS 158.156](#)
[KRS 620.030](#)

RELATED POLICIES:

08.113; 09.14

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Instruction

Instruction in secondary career and technical education programs shall be designed to:

1. Assist students preparing for school to work transition in recognized occupations and new or emerging occupations including high technology industries;
2. Prepare students for advanced or highly skilled postsecondary technical education programs or entrance into community and technical colleges or universities; and
 - a. Provide career guidance and academic counseling in the development of the individual learning plan as established in [704 KAR 003:305](#). If needed, instruction shall be provided to upgrade and update individuals in their present occupations and to retrain existing workers.

STANDARDS

Instructional content shall:

1. Be aligned with state or national occupational skill standards that have been recognized by business and industry to include an understanding of all aspects of an industry;
2. Be developed and conducted in consultation with employers and other individuals having skills and knowledge of the occupational fields or industry included in the instruction;
3. Be developed to include a coherent sequence of academic and career or technical courses for each program, aligned with career clusters and pathways;
4. Be sufficiently extensive in duration and intensive within a scheduled unit of time to enable students to achieve the objectives of the instruction;
5. Be structured to provide for the integration of technology and rigorous academic content relevant to the career area and aligned with the Kentucky Academic Standards, [704 KAR 003:303](#); and
6. Be linked to postsecondary education in order to provide smooth and seamless transition to postsecondary education in related technical fields. If possible, articulation of credit from secondary to postsecondary education shall be provided for students, as well as dual credit opportunities.

REFERENCES:

[704 KAR 003:303](#)

[704 KAR 003:305](#)

[705 KAR 004:231](#)

RELATED POLICY:

08.113

Adopted/Amended: 6/7/2017

Order #: XIII(A)(1)

Lesson Plans

Teachers are responsible for planning and organizing instruction through the use of lesson plans that outline the instructional sequence and explain instructional processes.

It is the responsibility of the ~~Principal~~-principal to ensure that teachers prepare and follow lesson plans properly.

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Grading

ASSIGNING STUDENT GRADES

Student grades shall be based on an established criterion that is fairly and consistently administered. Sufficient tests, quizzes, lab work, and homework assignments shall be given to adequately assess student performance in the course. A record of all student performance shall be documented and maintained by the teacher.

GRADE REPORTS

Grades shall be submitted to the sending school(s) to be recorded on the grade reports at the end of each grading period. Grades shall be reported on a schedule depending on the schedule of the sending school(s).

GRADING SCALE

The grading scale used by the area technology center (ATC) shall be the grading scale established by the sending school(s). It shall be the responsibility of the teacher to notify the student of the grading scale and course requirements at the beginning of the course.

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with OCTEST's policies addressing assessment of student progress and grading and the determination of curriculum and assignments, instructional staff are expected to issue grades or assessments of student assignments, including in the classroom, based on responsiveness to the assigned task(s), accuracy, and quality of work. ~~Staff shall utilize~~ sound pedagogical judgment and ~~providing~~ provide accommodations and modifications for students with disabilities as required by law, free from discrimination or penalty based on constitutionally protected expressions of religious or political views in otherwise responsive student submissions.

As required by federal Law (IDEA and Section 504) and Kentucky regulations, all KY Tech programs must provide students with disabilities with an equal opportunity to participate in ~~those~~ KY Tech programs. ATC administration must ensure that ATC staff fully and completely implement and fulfill the specially-designed instruction, supplementary aids and services and accommodations that are specified in and required by each student's Individual Education Program (IEP) or available to the student under Section 504.

According to the U.S. Department of Education Office for Civil Rights' *"Guidelines for Vocational Education Programs: 1991-1996"*, Kentucky's Career and Technical Education (CTE) programs are required to do the following when addressing the needs of students with disabilities:

1. modify instructional equipment;
2. modify or adapt the manner in which courses are offered;
3. house the program in facilities that are readily accessible to students with mobility impairments or alter facilities to make them readily accessible to students with mobility impairments;
4. provide auxiliary aids that effectively make lectures and necessary materials available to postsecondary students with disabilities; and,
5. provide related aids or services that assure secondary students an appropriate education.

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Grading

These supports should be agreed upon by the student’s Admissions and Release Committee (ARC) or 504 team with involvement and representation from the ATC. When a student has an ~~Individual Education Program (IEP)~~ and any of these accommodations are determined necessary for a student, then the accommodation(s) should be clearly written and specified in the student’s IEP.

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When such individualized supports are provided as described above, the majority of students with disabilities ~~will~~ should adequately meet the grading requirements. However, when a student with a disability demonstrates that they are not making progress within the curriculum sufficient to meet program’s grading requirements or when the student is not making progress on his or her IEP goals, ATC administration shall notify and inform the special education administration in the student’s sending school so that an ARC meeting or 504 meeting can be scheduled and convened to discuss concerns and possible solutions.

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REFERENCE:

[KRS 158.183](#)

Adopted/Amended: 6/5/2019
Order #: XIII(A)(1)

“Harmful to Minors” Complaint Resolution Process

“HARMFUL TO MINORS”

Per [KRS 158.192](#) “harmful to minors” means materials, programs, or events that:

- a) Contain the exposure, in an obscene manner, of the unclothed or apparently unclothed human male or female genitals, pubic area, or buttocks or the female breast, or visual depictions of sexual acts or simulations of sexual acts, or explicit written descriptions of sexual acts;
- b) Taken as a whole, appeal to the prurient interest in sex; or
- c) Is patently offensive to prevailing standards regarding what is suitable for minors.

COMPLAINT RESOLUTION PROCESS

This complaint resolution ~~policy~~ process shall be used to address complaints submitted by parents or guardians alleging that material, a program, or an event that is harmful to minors has been provided or is currently available to a student enrolled in the ~~District~~ district who is the child of the parent or guardian.

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The complaint resolution process shall require that:

- a) Complaints be submitted in writing to the ~~Principal~~ principal of the school where the student is enrolled;
- b) Complaints provide the name of the complainant, a reasonably detailed description of the material, program, or event that is alleged to be harmful to minors, and how the material, program, or event is believed to be harmful to minors.

The appeal process is outlined in 08.23 AP.21/Complaint Resolution Process.

Complaints regarding other issues shall be submitted pursuant to other appropriate ~~policies~~ processes including but not limited to: Grievances; Harassment/Discrimination; Title IX Sexual Harassment; Review of Instructional Materials; and Citizen Suggestions and Complaints.

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REFERENCES:

[KRS 158.192](#)
Board of Educ., Island Trees v. Pico, 102 S.Ct. 2799 (1982)

RELATED POLICIES:

03.16; 03.162; 03.1621; 03.26; 03.262; 03.2621
08.2322; 09.4281; 09.42811; 09.428111; 10.2

Adopted/Amended: 8/3/2023
Order #: VIII.B

Instructional Resources

Textbooks and other instructional resources for secondary career and technical education programs in area technology centers are provided under the guidelines for local school districts.¹ Local school districts may establish and maintain a textbook rental program for grades 9-12. This shall not prohibit local districts from using local funds to provide a free textbook program. Local school districts not providing a free textbook program for grades 9-12 may establish annually a textbook rental fee. Textbooks for career and technical education programs are included in the adoption cycle as established by the Kentucky Department for Education. The teacher and school principal shall provide information on textbook needs to the school district(s) so textbooks can be ordered.

The teacher shall account for all textbooks and instructional materials purchased by the local school district(s). (See [procedures Form, School - Textbook Assignment Sheet](#))

REFERENCES:

¹[704 KAR 003:455](#)

RELATED POLICY:

09.15

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Copyrights

The use of copyrighted material for educational purposes, by school personnel, shall be within the generally accepted uses delineated by applicable law.

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, 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 technology coordinator shall inform all employees of their compliance responsibilities with electronic materials licensing agreements and of the penalties for violating these agreements.

The ~~Principal-principal~~ or designee shall sign all ~~District~~ ~~district~~ software license agreements. The school shall have on file a copy of the executed licensed software agreement, the original disk or the original documentation.

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COPYRIGHT RELEASE FROM STUDENTS

A student who enrolls in a career and technical education course shall be required to sign a copyright release that gives the Office of Career and Technical Education permission to use copyrighted materials created by the student during the time he/she is enrolled in the course. This may include written work(s), image(s), and/or art objects created in the course for educational and promotional purposes. This form shall be completed at the time of enrollment and made a part of the permanent record. Parents shall sign the copyright release if the student is a minor. (See [procedures Form, Copyright Release Form for Student Work](#))

REFERENCE:

17 U.S.C. §106, 107, 110

RELATED POLICY:

08.2323

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Review of Instructional Materials

The review of instructional materials used in a Kentucky TECH instructional program, including textbooks and supplementary materials, on the basis of citizen concerns will be conducted in response to a properly filed written request. The request shall include a written statement of reason for objection and a statement of the desired action regarding the material under consideration.

Employees receiving a written request for review of instructional materials shall notify the ~~Principal~~ principal of the complaint, who shall then notify the Associate Commissioner. The Associate Commissioner shall notify the Commissioner of Education/designee of all complaints filed and the ~~Principal's~~ principal's response.

The ~~Principal~~ principal shall provide a written response to the complainant within ten (10) days after receipt of the complaint.

REFERENCES:

[KRS 158.183](#)

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

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Use of Technology

(Acceptable Use Policy)

Kentucky TECH supports reasonable access to various information formats for students and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use Kentucky TECH technology.

SAFETY PROCEDURES AND GUIDELINES

Teachers shall supervise student computer use to promote ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other technological resources), and address issues of privacy versus administrative review of electronic files and communications. In addition, Kentucky TECH networks shall not be used for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all Kentucky TECH-owned devices with Internet access or personal devices that are permitted to access the Kentucky TECH network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including “hacking” and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors’ access to materials that may potentially be harmful to them.

A technology protection measure may be disabled by the ~~Principal’s~~principal or their’s designee during use by an adult to enable access for bona fide research or other lawful purpose.

Specific expectations for appropriate Internet use shall be reflected in school rules including appropriate orientation for staff and students.

Because technology resources are provided for students as a learning tool, ~~Certain~~ certain rules must be followed. (See ~~procedures~~Form: <http://www.kytech.ky.gov/PolicyProceduresFormsLink.htm>) Student Enrollment – Computer Use Policy

This form must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student’s parent/guardian (or the student who is at least 18 years old) must provide the ~~Principal~~principal with a written request.

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Use of Technology

(Acceptable Use Policy)

DISREGARD OF RULES

~~Students~~~~Individuals~~ who refuse to sign required acceptable use documents or who violate Kentucky TECH and school rules governing the use of technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

Students shall be subject to disciplinary action, up to and including recommendation for expulsion for violating this policy and acceptable use rules and regulations established by the school or Kentucky TECH.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse Kentucky TECH for repair or replacement of Kentucky TECH property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a Kentucky TECH web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion ~~and-or~~ termination, as appropriate.

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RESPONDING TO CONCERNS

Kentucky TECH officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

AUDIT OF USE

Users with network access shall not utilize Kentucky TECH resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The ~~Principal~~ ~~principal~~/designee shall establish a process to determine whether Kentucky TECH education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

Use of Technology

(Acceptable Use Policy)

REFERENCES:

[KRS 156.675](#); [KRS 365.732](#); [KRS 365.734](#)
[701 KAR 005:120](#); [16 KAR 1:020](#) [KAR 001:020 \(Code of Ethics\)](#) (Code of Ethics)
47 U.S.C. 254/Children’s Internet Protection Act; 47 C.F.R. 54.520
Kentucky Education Technology System (KETS)
47 C.F.R. 54.516
15-ORD-190

RELATED POLICIES:

03.13214; 03.1325; 03.17; 08.1353; 08.2322
09.14; 09.421; 09.422; 09.426; 09.4261
10.5

Adopted/Amended: 8/5/2015
Order #: XII

School Calendar

Each area technology center (ATC) shall develop a yearly school calendar containing a minimum of 175 instructional days. The calendar shall establish beginning and ending dates for each semester and identify legal holidays when the school will be closed. Five (5) days between August 1 and June 15 may be scheduled for in-service days. Principals have the option of scheduling up to two (2) days at the end of each semester for records days. Dates for spring break and Christmas/New Year’s break shall be listed on the calendar. (See: School Calendar on the KY Tech Resource page.)

Postsecondary students enrolled in a secondary program will follow the secondary calendar. The academic calendar shall be prepared by the ~~Principal-principal~~ and be consistent with the calendar(s) of the cooperating school district(s). The ~~Principal-principal~~ must submit the calendar to the Office of Career and Technical Education for approval by May 31. Schools will be notified if the school calendar is approved by June 15.

All ~~area technology centers~~ ATCs shall be officially closed to students on the official holidays designated for Christmas and New Year’s.

- An employee may either work during this period or take some form of approved leave.
- If employees desire to work during this period, they may do so only after submitting a work plan for approval by the supervisor prior to initiation of the work.

Schools shall be closed on the Tuesday after the first Monday in November in Presidential election years.

If any school in the District is used as a polling place, the school ~~District~~ district shall be closed on the day of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. Subject to the requirement that ~~schools shall~~ schools be closed on Presidential Election Day, the ~~District~~ district may be open on the day of an election if no school in the ~~District~~ district is used as a polling place.

REFERENCES:

- [KRS 2.190](#)
- [KRS 118.035](#)
- [KRS 157.360; KRS 158.070](#)
- [780 KAR 003:080](#)

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

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Programs for Adults

GENERAL INFORMATION

All funds budgeted for schools and appropriated through the legislative process shall be expended for secondary students. Therefore, any program operated for adults shall recover costs associated with that operation.

All such postsecondary projects shall be approved by the ~~p~~Principal and a completed ~~Customized Training Agreement-Facility Usage Contract~~ shall be ~~available-completed and submitted~~ to the ~~Principal and the~~ Director of Technical Schools and ~~Federal Programs~~Continuous Improvement for approval by the OCTE Associate Commissioner prior to the class start date.

PRIOR TO BEGINNING TRAINING

- The ~~Customized Training Agreement-Facility Usage Contract~~ shall be prepared and include a line item budget or cost per participant that will satisfy the cost recovery guidelines listed below.
- Prior to the operation of a customized industry program, the appropriate budget contact shall be notified so that they will be aware of upcoming revenue and expenditures.
- Appropriate steps shall be taken (prior to program start up) to assure that instructional staff is eligible to teach (i.e. prior approval of dual status or call staff).

COST RECOVERY

The cost recovery amount shall include:

1. The salary and fringe benefits of the instructor.
2. Instructor preparation time.
3. The cost of class and lab related supplies.
4. An amount agreed upon by the ~~Principal-principal~~ and Director of Technical Schools and ~~Federal Programs~~Continuous Improvement to cover the cost of utilities, cleaning, equipment use, and other associated costs not budgeted.

CONTINUING EDUCATION

Continuing education classes for adults shall be designed to meet the needs of the labor market and for persons preparing or supplementing knowledge and skills for employment or job advancement. They shall meet the lifelong learning needs of the general public who require short-term training, retraining, or upgrading of skills for employment or job advancement. Specialized continuing education classes for adults may be offered on a cost recovery basis.

CUSTOMIZED INDUSTRY TRAINING

Customized training programs may be provided at the requests of specific businesses to train new workers or retrain experienced workers. Meeting these training requests requires the development of a specialized training agreement specifying the duties and responsibilities of each party. These programs must be approved by the ~~Principal-principal~~ and supervisor and operated on a cost recovery basis.

The Bluegrass State Skills Corporation (BSSC) provides business and industry with a possible funding source for such programs through BSSC guidelines and submission to BSSC for approval. A copy of the guidelines [may be found at cedky.com/cdn/142_gia_stic_guidelines.pdf](http://cedky.com/cdn/142_gia_stic_guidelines.pdf)

CURRICULUM AND INSTRUCTION

08.4

may be requested from Bluegrass State Skills Corporation, 3rd Floor Old Capitol Annex, 300 West Broadway, Frankfort, KY 40601.

Programs for Adults**REFUND POLICY**

The refund policy for customized training programs shall apply to tuition charges for technical programs and classes in Kentucky TECH schools. Students in certificate or diploma programs may receive a partial refund of tuition within the first fifteen (15) school days of the program through withdrawal. The refund policy applies only to program withdrawal and does not apply to a reduced course load. The application fee is nonrefundable.

Within the first ten (10) instructional days of the program, students may receive a full tuition and activity fee refund. From eleven (11) to fifteen (15) instructional days, fifty (50) percent of the tuition is refundable. There shall be no refund after the 15th instructional day. (See [Procedures Form, Withdrawal and Request for Refund](#))

Students enrolled in continuing education courses may be granted a full tuition refund of all amounts over fifteen (\$15) dollars if official withdrawal is completed prior to the third class session. No refunds shall be made after the third session, and tuition of fifteen (\$15) dollars or less shall not be refunded.

REFERENCES:

KRS 156
[780 KAR 002:140](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Request for New Programs Assessment

Program assessment is a process of evaluating programs using established criteria for the purpose of continuous program improvement. However, it is not the sole measure of program success. Class enrollment, placement rates, completion rates, etc., also are indicators. The instrument used for the assessment process contains standards indicative of quality programs. (See *Program Assessment* <http://kytech.ky.gov/programassessment.htm>.)

Each item is scored as 4,3,2,1, 0 or N/A based upon specific criteria. Documentation to support the score for each item must be maintained by the program teacher. Standard thirteen (13) on national industry standards is the only standard that can be marked N/A if industry standards have not been set for a program area. The score for the assessment will be calculated by totaling the rating for each item and dividing by the total number of items excluding N/A's.

Teachers are responsible for completing the assessment instrument for their program and providing the necessary documentation to support the ratings. Teachers will prepare a Self- Assessment Program Assessment Rating Summary Sheet and submit it to the Principal *principal*. (See *Program Assessment*.) It is the Principal's *principal's* responsibility to review the documentation and verify the ratings. The Principal *principal* shall keep the summary sheet on file in the school office and return a copy to the teacher. Scores shall be submitted to the Program Assessment Branch, 500 Mero Street, Frankfort, KY 40601, by June 15. All program assessment and corresponding documentation must be kept on file at least two (2) years. Each program is subject to periodic review by an assessment team composed of university educators, OCTE staff, KCTCS representatives, and local business community members.

Details regarding the program assessment process may be found at the following link:

<http://www.kytech.ky.gov/programassessment.htm>.

REQUEST FOR NEW PROGRAMS

A signed request for new programs requires the following information and must be submitted with an approved cover sheet. The request must be forwarded to the Office of Career and Technical Education (OCTE) and include a [New Program Viability survey, which may be provided by the ATC Supervisor](#). (See [Forms, Request for New Program Checklist and Request for New Program Form](#))

A description of the scope of the proposed program should include:

- Narrative description of the proposed program, including completion codes, program completion designation and length of program;
- Course listings with course descriptions; and
- Task lists for each new course developed with industry and advisory board/steering committees input for each new course.

New program requests that closely resemble programs already developed within the Kentucky TECH curriculum may be recommended to program committees to determine if they could be accommodated by some modification of the present program. If the program already exists in the Kentucky TECH System, individuals must submit copies of existing course descriptions. Any school applying to add to an existing program should submit an application for review and approval to the Director of [Technical Schools and Continuous Improvement, ~~Division of Secondary Education and Technical Training~~](#)

Requests for New Programs Assessment

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REQUEST FOR NEW PROGRAMS (CONTINUED)

Justification for the program shall include:

- Industry survey
- Demand data – Figures to be included for projected local, state, and national demand for trained workers in the occupational area. The source of the data must be indicated. Additional statements of support from employers and other outside agencies also should be included.
- Supply data – Also to be included are a description of interest in the program, the source of potential students and other training sites available in this field and their locations. A student survey may be used to collect data for interest in the program.

Implementation of the program:

- Facility needs – How much space will be needed? Where is space available? Are modifications required to existing space?
- Equipment needs – A list of required new equipment needed and/or existing equipment that can be used and sources of new/used equipment shall be included.
- Personnel needs – Qualifications of personnel needed; to be stipulated if new or existing position(s) are involved.
- Resources needed – Calculations of anticipated costs for facility acquisition or renovation, equipment, and personnel, including anticipated start-up costs and continuing program costs. Expected sources shall be identified to meet anticipated financial needs (local, state, federal, fees, etc.).

When a request for a new program is received in the ~~Office of Career and Technical Education~~ OCTE, ~~the Director of Technical Schools and Continuous Improvement~~ the program area consultant shall verify that all required documentation and signatures are included. If all documentation is included and the program need is justified, the request will be forwarded for the appropriate approval signatures. The school principal will be notified of the approval or denial of the new program.

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~~Upon approval of the Request for New Program, the school~~ Principal principal will be notified. **Approval of a new program does not mean that funding is approved guarantee funding for program implementation. Funding for new programs will be determined based on available financial resources required for the program’s sustainability. The school principal will be notified of the approval or denial of program operational funding.**

If a new school is involved, requirements, guidelines, and checklists will be established for opening the school.

FLAGGING PROGRAMS

The ~~Office of Career and Technical Education~~ OCTE is responsible for serving the career and technical education needs of students and business and industry. When a program no longer meets the needs of students and business and industry, it may be necessary to close the program and

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Requests for New Programs Assessment

explore the possibility of opening a new one.

The Associate Commissioner/designee will establish an Enrollment Review Committee comprised of Area Technology Center principals and representatives from the ~~Office of Career and Technical Education~~ **OCTE**. The Committee shall be responsible for the review of the flagging process, making recommendations for process changes, and assembling as needed by the Associate Commissioner/designee.

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Requests for New Programs Assessment

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FLAGGING PROGRAMS (CONTINUED)

The ~~OCTE Principal of each school~~ shall report enrollment ~~in the fall by October 1st~~ of each school year through the ~~KTS Data Exchange (Infinite Campus)~~ ~~Kentucky Tech Enrollment Database~~. ~~A~~ student-to-teacher ~~R~~ratio (STR) will be determined through the data collected in ~~the Infinite Campus~~ ~~database~~. A program with an STR of 12.5 or less will be flagged for closure.

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The Associate Commissioner/designee will notify the Principal and teacher by certified letter that the program has been flagged for closure. Once a program has been flagged, procedures for closing programs will be implemented.

CLOSING PROGRAMS

Procedures for closing a program with a vacant teacher position shall be as follows:

1. The Associate Commissioner's designee may recommend to the Associate Commissioner that a program be closed immediately.
2. The Associate Commissioner will make the final decision on program closure.
3. The Associate Commissioner/designee will notify the school Principal in writing of the official date for closure of a program or status for continuation.

Procedures for closing a program with a filled teacher position:

1. The Principal and teachers(s) of the school will receive a letter from the Associate Commissioner/designee indicating the program has an STR of 12.5 or less and is flagged for closure. The letter will provide information on establishing a Program Improvement Committee and the timeframe to meet goals for program continuation. The targeted closure date will be included.
 - a. *Program Improvement Committee:* When a program is flagged, the Associate Commissioner/designee will advise the school Principal to appoint and chair a Program Improvement Committee comprised of superintendent(s), high school principal(s), teacher(s), counselors, legislator(s), OCTE representative, and representatives from local business and industry to further evaluate the program and develop a plan for improvement to include a review of the program profile.
 - b. *Timeframe:* The Associate Commissioner/designee will notify the school of a decision to flag a program no later than December 30. The flag period will continue through May 1 of the next school year. For example: If a school is notified of a decision to flag a program in December 2014, the school will have until May 1, 2016 to increase enrollment to greater than 12.5 and meet the recommendations of the Program Improvement Committee.
 - c. *Maintenance:* If the program obtains a 12.5 STR following the flagging period, the program must sustain 12.5 STR for five (5) consecutive years. Should the flagged program not maintain 12.5 STR for five (5) consecutive years following the flagging period, the Associate Commissioner/designee, after consultation with the Program Improvement Committee, will make the final decision on program closure.

Requests for New Programs Assessment

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CLOSING PROGRAMS (CONTINUED)

- 2. The Program Improvement Committee will monitor the improvement plan through the flagging and program closure timeframe, make a recommendation, and report on the progress of the program’s improvement to the Associate Commissioner/designee by May 1 prior to closure. Meeting minutes of the Program Improvement Committee and the program advisory committee must accompany the report.
- 3. The Associate Commissioner/designee, after consultation with the Program Improvement Committee, will make the final decision on program closure.
- 4. The Associate Commissioner/designee will notify the school Principal and teacher(s) of the decision by mail by June 15. A multi-teacher program may be decreased by one (1) or more teachers.
- 5. If a Principal or teacher is subject to layoff due to a program closure, the layoff shall be in accordance with KRS 156. Certified staff members affected by a program closure may contact the KDE Human Resources division to find out their rights pursuant to KRS 156.

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FOLLOW-UP SYSTEM

~~The follow-up system presently being used by the Office of Career and Technical Education OCTE began with the 1977-78 school year. The purpose of the system is to collect valid data to support requests pertinent to expansion, deletions, and/or additions of programs. While the system has been modified over the years, it still remains a very valid means of collecting data needed to make organized, well planned decisions about the area technology centers’ programs, services and activities.~~

~~The follow-up system is divided into the following components:~~

- ~~1. Initial follow-up,~~
- ~~2. Employer survey, and~~
- ~~3. Retention in program follow-up (postsecondary students only).~~

INITIAL FOLLOW-UP

- ~~• The initial follow-up shall begin in December and is to be completed in February of the appropriate year (approximately 6 months after the student completes or leaves). A computer-generated list of completers and/or leavers is available to each area technology center for completion of follow-up information.~~
- ~~• ATC staff is responsible for contacting students, either by letter, email, or telephone to determine their employment status. Students are coded according to the following:~~
 - ~~1. Military~~
 - ~~2. Employed in field related to training~~
 - ~~3. Employed in a field not related to training~~
 - ~~4. Unemployed (seeking employment)~~
 - ~~5. Pursuing additional education~~

Requests for New Programs Assessment

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INITIAL FOLLOW-UP (CONTINUED)

- ~~6. Not in labor force/not pursuing additional education~~
- ~~7. Status unknown~~
- ~~8. Deceased~~
- ~~9. Self-employed~~
- ~~10. Apprenticeship~~
- ~~• Teachers shall collect information on the student's employer and hourly wages.~~
- ~~• Information collected from the initial follow-up will be entered into TEDS (formerly VESIS).~~

EMPLOYER SURVEY

- ~~• Students coded as: **2—Employed in a field related to training or 3—Employed, not related to training**, on the initial follow-up survey are used to complete the Employer Survey. A cover letter and survey instrument shall be sent to each employer after all initial follow-up surveys are returned. (See Form, *Employer Survey Form*)~~
- ~~• The employer shall be asked to rate the employee's performance in the following areas:~~
 - ~~a. Technical Knowledge~~
 - ~~b. Work Attitude~~
 - ~~c. Overall Rating~~
 - ~~d. Relative Preparation~~
- ~~• This information is entered in TEDS (formerly VESIS) to produce the employer survey results.~~

RETENTION IN PROGRAM FOLLOW-UP

~~Six (6) months after the initial follow-up survey, postsecondary students whose response was a positive placement are contacted again to see if there has been a change in their placement.~~

REFERENCES:

~~[KRS 158.645](#); [KRS 158.6451](#); [KRS 158.6453](#)
[705 KAR 003:141](#)
[705 KAR 004:231](#)
OCTE Home page for connections to Program Assessment:
<http://kytech.ky.gov/pa21standards.htm>~~

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Program Certification

The Office of Career and Technical Education (OCTE) recognizes the need for programs to meet national industry standards through program certification. Certification ensures that training programs meet or exceed industry-recognized, uniform standards of excellence. Each [certified instructor teacher](#) and program must complete the requirements for industry certification, where available.

~~Information regarding Ccertification in national industry standards is available by program area from the OCTE's Division of Student Transition and Career ReadinessCollege and Career Readiness Division. by contacting the respective program area consultant~~

~~Interested parties may contact the Office of Career and Technical Education OCTE program area consultant for information and assistance on program certification.~~

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Withdrawals and Incompletes

A student who is withdrawn ~~at~~from the home high school also shall be withdrawn ~~at~~from the area technology center (ATC). Official withdrawal at the ~~area technology center~~ ATC shall be made upon notification from the home high school of the withdrawal date.

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~~Area technology centers~~ ATCs shall follow the schedule ~~at~~of the home high school for allowing a student to make up work due to receipt of an incomplete grade. It is the responsibility of the student to contact the teacher within the established timelines to complete coursework. Failure to do so will result in the student being assigned a grade based upon coursework completed.

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Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Admissions and Attendance**ENROLLMENT QUOTAS**

If more than one (1) local school district enrolls students in an area technology center (ATC), the enrollment quota for eligible secondary school students, including students from home schools and private schools, shall be determined on a pro-rata basis. Quotas shall be determined by the ATC Principal in cooperation with the school's steering committee. Quota calculations shall be kept on file in the area technology center office for a minimum of two (2) years.

Quotas shall be determined using the following guidelines:

- The ratio of students enrolled in grades 9 –12 in a given school to the total number of students participating in the school district(s) served;
- The total enrollment capacity of the area technology center during the regular school day; and,
- The total number of workstations in each career and technical education program in the area technology center during the regular school day.

Each participating high school in the local school district(s) shall receive a quota of secondary school students. If quotas are not filled, the enrollment vacancies shall be reallocated to the other feeder schools on the same basis as the original quotas.

Any high school that is not currently a formal feeder of the respective ATC may request enrollment to its programs.- If the requested program(s) are at current capacity, the ATC shall accommodate the request to the extent possible; however, a phased approach may be considered over time to reach the high school's determined quota using the guidelines stated above.

REFERENCES:

[KRS 157.360](#); [KRS 158.100](#); [705 KAR 3:141](#)

[KAR 003:141](#)

[P. L.](#)

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

Plyler v. Doe, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

Adopted/Amended: 8/3/2022

Order #: VIII.A.

Program Enrollment

ADMISSION TO SECONDARY PROGRAMS

Secondary Students

Priority shall be given to students who are fifteen (15) years of age or older during the school year in which they enroll in a career and technical education program. Younger students shall not be denied use of the facilities of area technology centers (ATCs) for career education experiences designed to produce occupational awareness, orientation, exploration, and limited work exposure. It is recommended that additional supervision be requested when programs are utilized for career education experiences.

High school counselors/designated school officials, in cooperation with the ~~area technology center~~ ATC Principal principal, shall enroll secondary students who will attend career and technical education classes based on Individual Learning Plans, interests, and available space. ~~Area technology center~~ ATC teachers or a designee shall serve as a member of the Admissions and Release Committee (ARC) for students who are enrolled with an Individual Education Plan (IEP).

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Postsecondary Students

Postsecondary students may be enrolled in secondary programs in area technology centers when openings are available. At the time of enrollment, postsecondary students shall be advised of options to transfer courses completed at the ATC to a technical college.

Postsecondary programs located in area technology centers are operated by the Kentucky Community and Technical College System (KCTCS) <http://www.kctes.edu/>.

PROGRAM ENROLLMENT

Secondary technical programs must meet standards established by the Kentucky Board of Education. In addition to these standards, programs may be required to meet additional standards established by independent accrediting bodies.

Program enrollment ~~requirements can be found is prescribed~~ in 705 KAR 004:231. The maximum number of students per class shall be based on the class setting per that regulation.

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STUDENT ORIENTATION

The orientation process shall be completed with students as soon after enrollment as possible. The Principal and/or teacher will provide each student with a copy of the *Student Handbook* and address each item contained in the handbook. The student shall sign the student orientation form indicating he/she has received information on the topics listed on the form. ~~(See Form, <http://www.kytech.ky.gov/PolicyProceduresFormsLink.htm>) This form, along with other forms completed during the orientation process, shall be placed in the individual's student record. Students shall be required to complete additional forms during the enrollment/orientation process that may include, but are not limited to, the following:~~

~~1. Student Enrollment Agreement~~

~~<http://www.kytech.ky.gov/PolicyProcedures%20%20FORMS/Student%20%20Enrollment%20%20Agreement.doc>~~

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STUDENTS

09.121

(CONTINUED)

Program Enrollment

STUDENT ORIENTATION (CONTINUED)

2. Student Enrollment Application

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Application.doc

3. Student Enrollment Copyright Release Form for Student Work

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Copyright%20Release%20for%20Student%20Work.doc

4. Student Enrollment Fieldtrip Permission Short Trips

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Field%20Trip%20Permission%20-%20Short%20Trips.doc

5. Student Enrollment Computer Use Policy

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Computer%20Use%20Policy.doc

6. Student Enrollment Media Information Release

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Media%20Information%20Release%20Form.doc

7. Student Enrollment Medical Records and Insurance Verification

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Medical%20Record%20&%20Insurance%20Verification.doc

8. Student Enrollment Orientation

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Orientation.doc

9. Student Enrollment Release Form

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/Student%20-%20Enrollment%20-%20Release%20Form.doc

10. Student Sign In/Out Sheet

http://www.kytech.ky.gov/Policy_Procedures%20-%20FORMS/School%20-%20Student%20Sign%20In%20Out%20Sheet.doc

11. Safety training specific to the respective program and school

REFERENCE:

[705 KAR 003:141](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

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STUDENTS

09.123

Attendance

Each area technology center shall establish an attendance policy in coordination with the local high school(s). An absence may be excused for personal illness or illness of a family member, death of a family member, accident or other personal emergency in accordance with the sending school's policy. Work missed because of an absence shall be made up within the time designated by the teacher. It is the student's responsibility to contact the teacher on the day he or she returns to class to arrange to make up work. The teacher may require make up of examinations, clinical time, or other instructional activities.

REFERENCE:

[702 KAR 007:125](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Student Release

Students shall be dismissed early from school only if they are signed out by the custodial parent/guardian/designee identified on the Student Release Form. ~~(See Form, <http://www.kytech.ky.gov/PolicyProceduresFormsLink.htm>)~~

During the enrollment process, students shall have their custodial parent/guardian identify those individuals who have permission to sign the student out from the area technology center ~~(ATC)~~.

RELEASE PROCESS

Students shall sign out on ~~the a~~ Student Sign In-Out Sheet when leaving and/or returning to the center. ~~(See Form, School <http://www.kytech.ky.gov/PolicyProceduresFormsLink.htm>)~~

The individual(s) who have permission to sign the student out shall present photo identification at the time the student is picked up from the ~~area technology center~~ ATC.

The home high school shall be notified when students are released from the ~~area technology center~~ ATC.

EXCEPTIONS

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant or the person authorized by the Cabinet for Health and Family Services when the student is committed to the Cabinet or when the Cabinet is granted custody of the student by a court order. In such case, the student's parent shall be notified at the earliest opportunity except as otherwise provided by a court order or law.¹

When custody of a student is granted to the Cabinet by a court order as a result of dependency, neglect, or abuse, the Cabinet shall notify the Principal ~~or any Assistant Principal~~, of the school in which the child is enrolled, and the District Director of Pupil Personnel, of the names of persons authorized to contact the child at school or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

In addition, the Board authorizes emergency release of students for illness or other ~~valid~~bona fide reasons, as determined by the Principal.

REFERENCES:

¹[OAG 85-134](#); [OAG 92-138](#)
[KRS 620.146](#)
[702 KAR 007:125](#)

Adopted/Amended: 10/2/2018
Order #: XVII.A.1

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STUDENTS

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**Release of Students to
Divorced, Separated, or Single Parents**

The Principal of an area technology center shall release the student to either parent, guardian, or legal custodian unless the school has been informed and provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

REFERENCES:

20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67
[OAG 85-130](#); [OAG 90-52](#)

RELATED POLICY:

09.14

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

STUDENTS

09.124

Tuition

Tuition shall not be charged to enroll in an area technology center for secondary students who attend public, private, and home schools in the state of Kentucky. Students are expected to furnish their own paper, pencils and other instructional materials required for the program. In addition, if required for the program, students shall furnish their own uniforms and protective clothing.

RELATED POLICY:

09.15

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Equal Educational Opportunities

DISCRIMINATION PROHIBITED

As required by Title IX, the Commonwealth of Kentucky does not discriminate on the basis of sex regarding admission to or in the educational programs or activities operated by the Commonwealth of Kentucky. Inquiries regarding Title IX Sexual Harassment may be referred to the Title IX Coordinator (TIXC), the Assistant Secretary for Civil Rights, or both.¹

No pupil shall be subject to unlawful discrimination because of age, color, disability², race, national origin, religion, sex (including sexual orientation or gender identity), or veteran status.

EEO COUNSELOR(S)

Each Principal must designate one or more EEO counselor(s) to coordinate compliance with the federal regulations below:

<https://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html>

<https://www.justice.gov/crt/fcs/TitleVI-Overview>

<https://www.eeoc.gov/laws/statutes/titlevii.cfm>

~~<https://www2.ed.gov/policy/elsec/leg/esea02/pg98.html>~~

[Title IX Title IX](#)

[Section 504](#) and

[ADA](#).

An EEO counselor should be a person in the Center who is available to students and staff at all times. The EEO counselor should be a person other than an administrator, academic counselor or supervisor. The Faculty Handbook and Student Handbook are examples of publications that should identify the EEO Counselor(s) by name, address and telephone number.

STUDENTS WITH DISABILITIES

The school shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

The school shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the school to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

STUDENT RELIGIOUS ACTIVITIES OR POLITICAL EXPRESSION

The school shall observe the rights of students to voluntarily engage in religious activities. Students may express religious or political viewpoints while at school to the same extent and under the same circumstances as other permitted activities or expression. Consistent with the Constitutions of the United States and the Commonwealth of Kentucky and law, students shall be permitted to engage in these activities and express these viewpoints, provided they do not:

Equal Educational Opportunities**STUDENT RELIGIOUS ACTIVITIES OR POLITICAL EXPRESSION (CONTINUED)**

1. Infringe on the rights of the school to:
 - a. Maintain order and discipline;
 - b. Prevent disruption of the educational process; and
 - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

GENDER EQUITY

Teachers and administrators must devote attention to how they can achieve equity within the learning environment, teacher-student interaction, and curriculum. Educational practices must be implemented that address the needs of all students. Not only is it wrong to treat males and females differently in programs, it is discrimination which Federal and state laws prohibit.

The following is a list of precautions schools can take to ensure compliance with the law:

- Review policies and practices of the entire school
- Review course descriptions in handbooks and other publications
- Examine the master schedule
- Review instructional materials, course objectives and activities, and student organizations practices
- Analyze textbooks and implement guidelines for selection
- Implement fair recruitment practices
- Provide equity training to staff and students
- Establish written policies for dealing with gender equity issues
- Observe teachers for equitable and effective instructional practices
- Assess staff and students to determine the level of bias, stereotyping, and discrimination

REFERENCES:

¹34 C.F.R. § 106.8

²Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)

Local District special education policy and procedures manual; Local District 504 procedures

[KRS 157.200](#); [KRS 157.224](#); [KRS 157.230](#); [KRS 157.350](#)

[KRS 158.183](#); [KRS 160.295](#); Age Discrimination Act of 1975

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972

42 U.S.C. 200e, Civil Rights Act of 1964, Title VII

Vietnam Era Veterans Readjustment Assistance Act of 1974

28 C.F.R. Section 35.101 et seq.

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

STUDENTS

09.13
(CONTINUED)

Equal Educational Opportunities

RELATED POLICIES:

01.1; 03.113; 03.1621; 05.1; 08.131; 09.42811; 09.428111

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

Student Records

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

The school shall comply with rights given to parents and eligible students by the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; CFR Part 99) and to ensure compliance with applicable state and federal student record requirements.

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DISCLOSURE OF RECORDS

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Legal separation or divorce alone does not terminate a parent's record access rights. Eligible students are those eighteen (18) years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student eighteen (18) years old or older if the student is dependent under federal tax laws.¹

After a student reaches the age of eighteen (18) or is attending an institution of postsecondary education, the rights that were the parents' accrue to the student. The ~~parent's~~parents' rights cease when the student takes over.

Upon written request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary, to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

School personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the school discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the school may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Contractors, consultants, volunteers, and other parties to whom the school or the Kentucky Department of Education (KDE) has outsourced services or functions may access student records provided they are:

- Under the school's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES

Personally identifiable student information may be released to those other than employees who are designated by the ~~Principal~~principal in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

Student Records**DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES
(CONTINUED)**

FERPA gives parents of students enrolled in Kentucky TECH schools and eligible students access to official records and data pertaining to those students and the right to deny access to those records to others unless authorized by law. FERPA denies Federal funds to any school district that does not allow parents access to their children's records. Parents and eligible students shall be allowed to inspect and review all materials that are incorporated into the student's cumulative record and be granted a hearing to challenge the contents of the records if requested.

Release of any information contained in student records maintained by the school to any person other than those permitted under law shall be done only upon written consent from the student's parents or the eligible student, specifying what is to be released, and to whom. A copy of records to be released shall be made available to ~~the~~ parents ~~and or~~ eligible students.

Authorized school personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the school an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.
- School officials (such as teachers, instructional aides, administrators, **including health or medical staff and law enforcement unit personnel**) and other service providers (such as contractors, consultants, and volunteers used by the school to perform institutional services and functions) having a legitimate educational interest in the information.

School officials/staff may only access student record information in which they have a legitimate educational interest.

~~For release of student information to media sources, see~~

~~<http://www.kytech.ky.gov/PolicyProceduresFormsLink.htm>~~

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification ~~of to~~ the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the school receives such orders, the matter(s) may be referred to KDE counsel for advice.

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Student Records

DUTY TO REPORT

If it is determined that the school cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the Principal must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

DIRECTORY INFORMATION

The Principal is authorized to release student directory information as designated by the local board(s) of education. Approved "directory information" may include: name, address, phone number, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released must notify the superintendent of the sending district in writing within thirty (30) calendar days after receiving notification of FERPA rights.

Information about the living situation of a student designated as homeless is not to be treated as directory information and is not to be disclosed unless prior written consent is given or unless the information meets one of FERPA's exceptions to required consent. The living situation is not considered directory information.

The school allows for disclosure of directory information only to specific parties for specific purposes as specified in the local district student directory information notification.

Unless the parent/guardian or student who has reached age eighteen (18) requests in writing that the local district not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

SURVEYS OF PROTECTED INFORMATION

The school shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

Student Records**SURVEYS OF PROTECTED INFORMATION (CONTINUED)**

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Act (IDEA).

STUDENTS WITH DISABILITIES

The local district's special education policy and procedures manual shall include information concerning records of students with disabilities.

RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in [KRS 17.125](#) if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

JUVENILE COURT RECORDS

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received and the local superintendent notifies the Principal, the Principal shall then release the information as permitted by law. Only the Principal and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.²

RECORDS RETENTION

Student record information shall be kept on file in the school office while the student is enrolled. Upon graduation/withdrawal, the student record shall be moved to inactive files and maintained for a minimum of three (3) years. If the student does not re-enroll within three (3) years after graduation/withdrawal, the inactive record shall be archived and maintained permanently in fireproof storage.

STUDENTS

09.14
(CONTINUED)

Student Records

REFERENCES:

- ¹Section 152 of the Internal Revenue Code of 1986
²[KRS 158.153](#); [KRS 610.320](#); [KRS 610.340](#); [KRS 610.345](#)
[KRS 7.110](#); [KRS 15A.067](#); [KRS 17.125](#); [KRS 158.032](#); [KRS 159.160](#); [KRS 159.250](#)
[KRS 160.990](#); [KRS 161.200](#); [KRS 161.210](#)
[KRS 365.732](#); [KRS 365.734](#); [KRS 600.070](#)
[702 KAR 001:140](#); [702 KAR 003:220](#); 20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67
20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98
[OAG 80-33](#); [OAG 85-130](#); [OAG 85-140](#); [OAG 86-2](#); [OAG 93-35](#)
Kentucky Family Educational Rights and Privacy Act ([KRS 160.700](#); [KRS 160.705](#)
[KRS 160.710](#); [KRS 160.715](#); [KRS 160.720](#); [KRS 160.725](#); [KRS 160.730](#))
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Kentucky Education Technology System (KETS)
P. L. 114-95, (Every Student Succeeds Act of 2015)
42 U.S.C. 11431 et seq. (McKinney-Vento Act)

RELATED POLICIES:

09.12311; 09.43

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

STUDENTS

09.141

Student Privacy Rights

PUBLIC COMMENT REQUIRED

[KRS 158.189](#) requires the Board, after allowing public comment at an open meeting, to adopt this Policy (09.141), necessary to protect the privacy rights for students, that at a minimum, does not allow students to use restrooms that are reserved for students of a different biological sex.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms.

REFERENCE:

[KRS 158.189](#)

Adopted/Amended: 8/3/2023

Order #: VIII.B

Student Fees

There shall be no tuition or fees for secondary students enrolled in state secondary area vocational education and technology centers and who are residents of Kentucky.

LIVE WORK FEES

A ~~fifteen-dollar (\$15)~~ fee shall be charged for live work projects requiring more than one (1) hour of labor. Materials for the live work shall be purchased by the person(s) for whom live work is accepted. If requested, the school may purchase the materials and recover the costs of materials plus twenty ~~percent~~ (20%) ~~percent~~ for handling.

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Live work orders shall not be released until payments for parts, supplies, and other cost items have been made and documented by authorized personnel in the school office.

Live work orders shall adhere to the requirements under [780 KAR 002:040](#) (sec. 3).

No fee payment shall be handled by a teacher.

FEES FOR STUDENT ORGANIZATION MEMBERSHIP

When joining a student organization, students must first join and pay dues to the primary Career and Technical Student Organization (CTSO) to which their CTE pathway is aligned. ~~Students in Information Technology, Culinary and Public Services programs have more than one (1) option when choosing a primary CTSO. (See chart below.)~~

After joining and paying dues to their primary CTSO, students may choose to join, pay dues to and participate in competition in an additional ~~another~~ CTSO.

Information regarding ~~fee structures for~~ student organizations is located on the Kentucky Department of Education Office of Career and Technical Education website. at the following link: <http://education.ky.gov/CTE/Stuorg/Pages/default.aspx>

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POSTSECONDARY STUDENTS

~~All full-time and part-time postsecondary students shall pay a nonrefundable application fee prior to enrollment in a diploma or certificate program. Additionally, all adult students shall complete a criminal records check prior to enrollment at the secondary area technology center. Postsecondary students enrolled in secondary programs who are self-pay shall pay tuition at the current rate established by KCTCS. The school may establish an activity or lab fee not to exceed twenty (\$20) dollars per term for postsecondary students.~~

~~For students receiving student financial aid, KCTCS will register and collect the tuition/fees at the KCTCS rate.~~

REFERENCES:

[KRS 156.856](#); [KRS 158.108](#)
[702 KAR 003:130](#); [702 KAR 003:220](#); [780 KAR 002:040](#); [704 KAR 003:455](#)

RELATED POLICIES:

08.232, 09.124

Adopted/Amended: 10/5/2016
Order #: XIVA.2

Student Handbooks

Each area technology center ~~(ATC)~~ shall publish a student handbook annually to be disseminated to every student enrolled. The student handbook is an information guide to familiarize students with the policies and procedures of the ~~area technology center~~ ATC.

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Documentation that the student received a copy of the student handbook shall be kept on file in the individual student record. A format for the Student Handbook that can be adapted to each ~~area technology center~~ ATC is provided in KY Tech Procedures, ~~via the links listed in the references below~~.

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REFERENCES:

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[Sample Student Handbook Cover Sheet](#)

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Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Student Health and Safety

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in the school.

SAFETY INSTRUCTION

Each student shall be required to study general safety rules in his/her technical program. Specific safety instruction shall be provided to all students by the program teacher. Prior to operating any equipment, machinery, or tools, each student shall be required to pass a written examination and demonstrate safety procedures. Documentation that each student has passed safety tests shall be kept on file in each program area. In all cases, a student shall have the teacher's permission and be supervised while operating power equipment. A student who violates or fails to adhere to any school safety rules shall be subject to disciplinary action. (See KY Tech Procedures Form, Student Statement of Student - Statement of Safety Instruction.)

RESPONSIBILITY FOR SAFETY

The safety of students in an area technology center shall be the responsibility of the Principal and program teacher. Since public schools are considered to be State agencies, they cannot be sued for damages in the case of an accident or injury to a pupil without the consent of the State. However, the teacher may be sued for damages by parent or guardian of an injured student if it can be shown that the pupil's injury was due to negligence of the teacher. Teachers shall be alert to their responsibilities so they may protect the student from injury, thus avoiding possible future legal action. This information shall be provided ~~upon~~^{during} initial employment and at the beginning of the school year.

Negligence is the failure to act as a reasonably prudent and careful person under the circumstances of the situation. Authorities on school law say that a teacher could be considered negligent if any of the following conditions exist when an accident or injury to a student occurs:

1. The teacher is absent from the classroom/shop while students are present.
2. The teacher leaves the classroom/shop with an unqualified teacher in charge.
3. Students are permitted to use unauthorized equipment in the school.
4. Students are permitted to work in the classroom/shop other than during the regularly scheduled periods, or hours, and especially without supervision.
5. The teacher permits students not enrolled in the school to use any type of equipment.
6. Students are sent out of the lab/classroom to perform hazardous jobs.
7. The teacher permits students to use power equipment without having given them specific instructions as to the proper and safe use of the equipment.
8. The teacher allows students, especially ~~promethose prone~~ to ~~accident~~accidents, to use power driven machines and tools.
9. The teacher allows students with physical or mental handicaps to use inappropriate tools and equipment.

Student Health and Safety**RESPONSIBILITY FOR SAFETY (CONTINUED)**

10. The teacher fails to:
 - a. Keep written reports of every accident occurring in the program, regardless of the extent of the injuries involved; or
 - b. Obtain written statements from witnesses of accidents.
11. The teacher permits students to use machinery without the standard safety equipment, guards, or safety devices such as protective equipment, goggles, safety glasses, etc.
12. The teacher fails to administer safety tests and to retain satisfactorily passed tests of students injured in accidents.
13. The teacher allows students to operate equipment with safety devices that are not approved by the manufacturer.
14. The teacher permits use of self-made equipment or devices for instructional purposes, which results in injury to student(s).
15. The teacher fails to provide necessary supervision to students while assigned to a program.
16. The teacher permits students to work on equipment or perform tasks that are not related to the instructional program.

RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES

Students who are enrolled in a program that provides instruction in tasks requiring the use of protective breathing devices shall have on file a physician's statement of assurance that the individual is physically able to perform the tasks in the program requiring the use of protective breathing devices. The teacher also shall have on file a physician's statement of assurance. The Federal Occupational Safety and Health Standard is state law and is quoted as follows:

Persons shall not be assigned to tasks requiring ~~use~~the use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. The local physician shall determine what health and physical conditions are pertinent. The respiratory user's medical status should be reviewed periodically (for instance, annually).

A written respirator program shall be on file for all programs requiring protective breathing devices.

Program Elements:

1. The teacher shall develop detailed written standard operating procedures governing the selection and use of respirators, using NIOSH Respirator Decision Logic <http://www.cdc.gov/niosh/docs/87-108/> as a guideline. Outside consultation, ~~manufacturer's~~the manufacturer's assistance, and other recognized authorities shall be consulted if there is any doubt regarding proper selection and use. These detailed procedures will be included as appendices to the respirator program. Only the instructor shall amend these procedures.

Student Health and Safety**RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES (CONTINUED)**

2. Respirators shall be:
 - Selected on the basis of hazards to which the user is exposed
 - Selected by the teacher
 - Only MSHA/NIOSH-certified respirators
3. The user/student/wearer shall be:
 - Instructed and trained by the teacher in the proper use of respirators and their limitation on an annual basis or more frequently if indicated;
 - Provided an opportunity to handle the respirator, have it fitted properly, test its face-piece-to-face-seal, wear it in normal air for a long familiarity period, and finally to wear it in a test atmosphere;
 - Trained in fitting instructions, including demonstrations and practice in how the respirator should be worn, how to adjust it, and how to determine if it fits properly.
4. Where practicable, the respirators shall be assigned to individual students for their exclusive use.
5. Respirators shall be regularly cleaned and disinfected. Those issued for the exclusive use of a student shall be cleaned after each day's use, or more often if necessary.
6. The central respirator cleaning and maintenance facility shall store respirators in a clean and sanitary location.
7. Respirators used routinely shall be inspected during cleaning. Worn or deteriorated parts will be replaced. Respirators for emergency use, such as self-contained devices, shall be thoroughly inspected at least once a month and after each use. Inspection for SCBA breathing gas pressure shall be performed weekly.
8. Appropriate surveillance of work area conditions and degree of user exposure or stress shall be maintained.
9. There shall be a regular inspection and evaluation to determine the continued effectiveness of the program. The teacher shall make frequent inspections of all areas where respirators are used to ensure compliance with the respiratory protection programs.
10. Persons shall not be assigned to tasks requiring the use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. A physician shall determine what health and physical conditions are pertinent. The respirator user's medical status shall be reviewed annually.
11. Certified respirators shall be used.
12. A sign-off sheet shall be required by adult students and parents of minors before the use of a respirator will be permitted.

STUDENTS

09.22
(CONTINUED)

Student Health and Safety

RESPIRATOR PLAN/PROTECTIVE BREATHING DEVICES (CONTINUED)

The respirator program shall be evaluated annually with program adjustments made to reflect the evaluation results.

If a paper mask has two (2) ~~of the rubber~~ rubber bands attached, consider it a respirator; ~~therefore~~ consequently, it will fall in the respiratory category and be subject to these guidelines. Guidelines will not apply to paper dust masks with only one (1) rubber band attached.

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REFERENCES:

[KRS 156.160](#)
[KRS 158.838](#)

RELATED POLICIES:

03.14
09.2241

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Supervision of Students

The safety of students in an area technology center (ATC) shall be the responsibility of the Principal and program teacher. Responsibility and accountability go ~~hand in hand~~ together. This policy shall be provided to school personnel upon initial employment and at the beginning of the school year.

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.¹

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old.²

Failure to comply with Office of Career and Technical Education safety policies and procedures shall be reflected in performance evaluation and program assessment scores. A pattern of noncompliance and/or failure to enforce safety requirements shall result in disciplinary actions as outlined in 780 KAR 3.110.

ON-BUS SUPERVISION

According to the Kentucky Department of Education legal counsel, it is not necessary for a teacher or administrator to be present on the bus for technical center transportation, as the bus driver is present and responsible for normal supervisory responsibilities under [702 KAR 5:080](#), ~~KAR 005:080, provided that school personnel~~, provided that school personnel (and/or state personnel) will be present at the ~~area technology center~~ ATC. Supervision by a qualified member of the ~~area technology center~~ ATC staff shall be provided to technical training sites off ~~school~~ the school grounds.

ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY

Unless they are authorized visitors, only those students who are enrolled in the school and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extracurricular activity, shall be permitted on the property during the school day. If a student who is officially absent wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

STUDENT REGISTRANT OFFENDERS

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrant offenders as defined in [KRS 17.500](#). If the Principal has set limitations, restrictions or requirements, they shall be put into writing and a copy provided to the student/guardian.

REFERENCES:

¹[KRS 161.180](#)

²[KRS 161.185](#)

[KRS 17.545](#); [702 KAR 005:030](#); [780 KAR 002:060](#); [780 KAR 3.110](#)

RELATED POLICIES:

09.22, 09.36

Adopted/Amended: 6/4/2014

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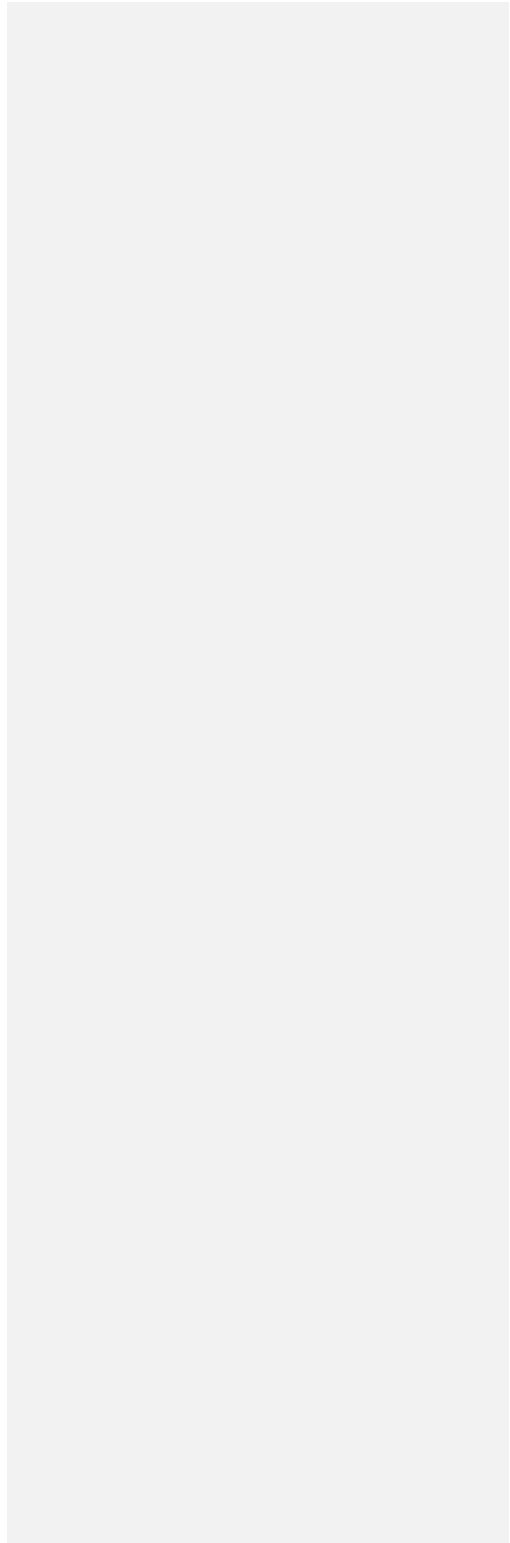
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STUDENTS

Order #: 09.221
XXIII.B.2



Employee Reports of Criminal Activity

To promote the safety and well-being of students, employees shall make state law required reports ~~required by state law~~ in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police (KSP), by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

Any employee of a school who knows or has reasonable cause to believe that a school student ~~has been~~ is the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event, shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student ~~when at the time the student is~~ was involved in an incident reportable under this section. The Principal shall file a written report with the Associate Commissioner of Career and Technical Education and the local law enforcement agency or the ~~Department of Kentucky State Police~~ KSP or the county attorney within forty-eight (48) hours of the original report.

KRS 209A.100

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

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STUDENTS

09.2211
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Employee Reports of Criminal Activity

KRS 209A.110

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with who s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or is a victim of human trafficking, or is a victim of female genital mutilation, shall immediately cause an oral or written report to be made to a local law enforcement agency or the ~~Department of Kentucky State Police~~ **KSP**; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

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REFERENCES:

[KRS 158.154](#)
[KRS 158.155](#)
[KRS 158.156](#)
[KRS 209A.100](#)
[KRS 209A.110](#)
[KRS 508.125](#)
[KRS 525.070](#); [KRS 525.080](#)
[KRS 527.070](#); [KRS 527.080](#)
[KRS 620.030](#)

RELATED POLICIES:

03.13251
03.13253
05.48
09.227
09.422
09.423
09.425
09.426

Adopted/Amended: 8/6/2020
Order #: XVII.A.4

Use of Physical Restraint and Seclusion

Use of physical restraint or seclusion by school personnel is subject to [704 KAR 007:160](#). However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

DEFINITIONS

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

PHYSICAL RESTRAINT

All School Personnel

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain ~~students, but~~ students but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological ~~well-being~~ well-being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

Core Trained Personnel

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student's behavior poses an imminent danger of physical harm to self or others;
2. As provided in [KRS 503.050](#) (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in [KRS 503.070](#) (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in [KRS 503.110](#) (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

Use of Physical Restraint and Seclusion

SECLUSION

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

PARAMETERS

This policy is designed to promote the safety of all students, school personnel, and visitors. As required by [704 KAR 007:160](#), school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the school's student handbook and employee handbooks.

TRAINING

Training of personnel on use of physical restraint and seclusion shall be provided as required by [704 KAR 007:160](#):

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by [704 KAR 007:160](#).
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by [704 KAR 007:160](#). (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

REQUIRED PROCEDURES

The Principal/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

NOTIFICATION REQUIREMENTS

The Principal shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Superintendent/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

Use of Physical Restraint and Seclusion**DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

PARENT COMPLAINTS

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the established grievance policy. On receipt of a complaint, the school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

STATEMENTS FROM PHYSICIAN

The Principal/designee shall review and respond to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

DOCUMENTATION

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by [704 KAR 007:160](#).

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Associate Commissioner of Career and Technical Education shall review data on each school's use of physical restraint and seclusion to identify any recommendations to be made for policy revisions.

REFERENCES:

[704 KAR 007:160](#)

KRS Chapter 503: [KRS 503.050](#), [KRS 503.070](#), [KRS 503.080](#), [KRS 503.110](#)

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

Section 504 of Rehabilitation Act of 1973

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Driving and Parking Regulations

SECONDARY STUDENTS

Driving to the area technology center (ATC) by high school students is strictly prohibited since buses transport high school students to and from their respective schools, except under extenuating circumstances.

Students desiring to have a vehicle worked on in one of the technical programs shall complete a *Driving Permit* form (see [KY Tech Procedures](#)) and obtain the required signatures prior to driving to the ATC. Students shall not be permitted to transport other students when bringing a vehicle to the area technology center ATC to be worked on. The permission form shall be displayed on the dash the entire time the vehicle is on school grounds. Students shall be made aware that unauthorized vehicles may be searched for a with good cause.

On occasion, students will need to drive to participate in field trips, competitions, etc., which requires them to leave before school begins and return after school closes. Students participating in these activities shall complete the *Driving Permit* form and obtain the required signatures prior to driving.

~~POSTSECONDARY STUDENTS~~

~~Postsecondary students attending area technology centers ATCs who drive personal vehicles shall obtain a parking permit from the office. The permit shall be visible to school personnel at all times. Postsecondary students who fail to comply with all established driving and parking regulations shall jeopardize their privilege to drive.~~

REFERENCES:

[KRS 161.180](#)
[Driving Permit](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

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Emergency Medical Treatment

~~When enrolled students, for whom documentation under KRS 158.838, including seizure action plans, has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present. Pursuant to KRS 158.838, students enrolled in an area technology center (ATC), that are present during school hours or as participants in school-related activities, shall provide proper documentation, including a seizure action plan to school personnel to be kept in the students' educational records. If a student requires a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA, the ATC shall have the required trained employee on site at all times the student is on campus. Medication shall be administered pursuant to a student's seizure action plan.~~

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FIRST AID

The following information shall be provided during initial employment orientation and at the beginning of each school year.

- Emergency and non-emergency first aid shall be administered by a person or persons trained and certified to render first aid.
- In no case shall ointments, salves, disinfectants or oral medicine be rendered except on the advice of a physician.
- In no case shall any person or persons render first aid to a degree above that for which they are trained and certified.
- First aid kits shall be placed in each lab/shop area and equipped with gauze, bandages, large and small Band-Aids, a bottle of peroxide, disinfectant wipes, latex gloves and other sterile materials required to stop bleeding and cover wounded areas.
- Fire blankets shall be placed in those areas where the potential exists for fire and or explosion. Large shops shall have two (2) fire blankets.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

The local Board of Education shall maintain a portable AED in a public, readily accessible, well-marked location in every District owned ~~Area Technology Center~~ ATC building. A minimum of three (3) employees in the school shall be trained on the use of a portable AED.²

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OPIOID ANTAGONIST

~~The ATCs may maintain an opioid antagonist for administration to individuals who may experience a life-threatening, opioid overdose. If an ATC elects to maintain an opioid antagonist for such instances, it shall be administered following the protocols developed by the Kentucky Department of Public Health.~~

EPINEPHRINE

~~The ATCs may maintain epinephrine for administration to students who may have a life-threatening allergic reaction but have no written individual health plan in place. If the ATC elects to maintain epinephrine for such instances, it shall be administered following the protocols developed by the Kentucky Department of Public Health.~~

STUDENTS

09.224

Building-level administration shall be responsible for identifying at least two (2) employees, in addition to the school nurse, to be trained in the administration of epinephrine by auto-injector.

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If the ATC elects to maintain Epinephrine, it shall be stored in a minimum of two (2) locations in the school, including but not limited to the school office and the school cafeteria and shall keep epinephrine auto-injectors in a secure, accessible, but unlocked location. Staff should be made aware of the storage location in each school.

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SICKNESS/ACCIDENTS

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The following steps shall be implemented:

1. First aid shall be administered as required (ambulance called if necessary). The first aid provider shall be trained and certified in first aid. Injured persons shall not be transported in private auto or state vehicle by center personnel.
2. The ~~center~~ ATC Principal or designee shall be notified.
3. Personnel shall secure the area for inspection by the Frankfort safety unit. The principal or designee shall notify the Safety Director in the Frankfort Office. This procedure shall be used when accidents are severe enough in nature to cause or could cause loss of life or limb. All other accidents are to be reported and detailed on the *designated accident reporting form* as soon as possible after first aid is provided and the victim and/or area is secured.
4. Personnel shall secure the name of any witnesses available, and if possible, ~~make~~take photos of the accident scene.

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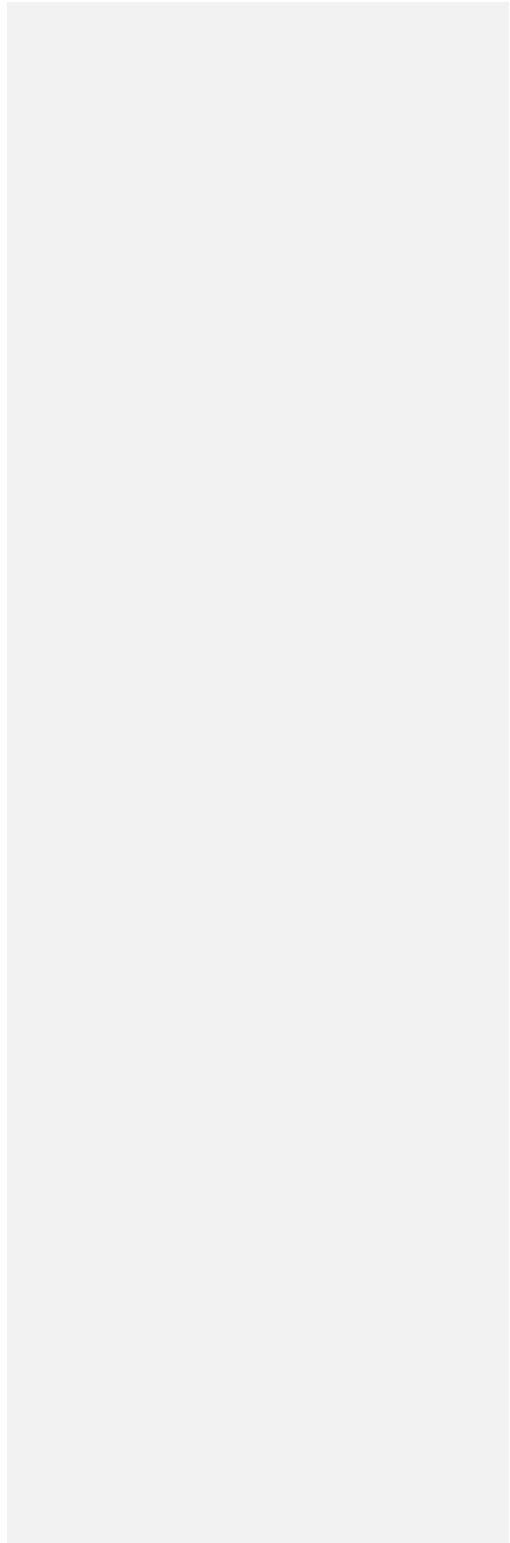
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Emergency Medical Treatment

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation¹ and may utilize the Kentucky Department of Education Health Services Reference Guide (HSRG) as a resource.

REFERENCES:

¹[702 KAR 001:160](#)

²[KRS 158.162](#)

[KRS 156.160](#); [KRS 156.502](#); [KRS 158.836](#); [KRS 158.838](#)

RELATED POLICIES:

03.14; 05.4; 09.22; 09.2241

Adopted/Amended: 8/3/2023
Order #: VIII.B

Student Medication

School personnel authorized to give medications must be trained in accordance with [KRS 158.838](#), [KRS 156.502](#) and [702 KAR 001:160](#).

School personnel shall not dispense medication of any type. However, antiseptic and appropriate other emergency medications shall be maintained in ~~the~~ [each](#) first-aid kit.

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A student who takes prescription or over the counter medication shall have written permission on file in the office before medication is brought to school.¹ Medications shall be carried in their original container. If medication is to be taken during school hours, the teacher shall be notified. Any drug that is seen and not reported to the teacher shall be in violation of school policy. This information shall be communicated to students during the orientation process and included in the student handbook.

SELF-ADMINISTRATION

As authorized by policy of the student's sending district, a student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and health care practitioner files with the student's sending district a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.²

In accordance with [KRS 158.836](#), students with a documented life-threatening allergy or designated staff shall be permitted to carry an injectable epinephrine device in all school environments. The injectable epinephrine device shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.³

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-~~the-counter~~~~the-counter~~ medication with another student. Violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

REFERENCES:

¹[OAG 73-768](#)

²[KRS 158.834](#); [KRS 158.838](#)

³[KRS 158.836](#)

[KRS 156.502](#); [KRS 158.832](#)

[702 KAR 001:160](#)

Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973

[OAG 77-530](#); [OAG 83-115](#)

STUDENTS

09.2241
(CONTINUED)

Student Medication

RELATED POLICIES:

09.22; 09.224

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with [KRS 620.030](#).²

After making that oral report, the employee shall then immediately notify the ~~Principal~~ principal of the suspected abuse. If the ~~Principal~~ principal is suspected of child abuse, the employee shall notify the Associate Commissioner of Career and Technical Education/designee.

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Upon notification, the ~~Principal~~ principal or the Associate Commissioner of Career and Technical Education/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the school shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the school, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

WRITTEN RECORDS

Copies of reports kept by the school that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school.

INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services (~~Cabinet~~) representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.⁴

Child Abuse

AGENCY CUSTODY

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the ~~Principal~~ principal, or any ~~Assistant Principal~~ assistant principal of the school in which the child is enrolled, and the ~~District's~~ district's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

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The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

REQUIRED TRAINING

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete KBE selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet ~~for Health and Family Services~~ and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

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REFERENCES:

- ¹ [KRS 600.020](#)
- ² [KRS 620.030](#); [KRS 620.040](#)
- ³ [OAG 85-134](#) OAG 85-134; [OAG 92-138](#) OAG 92-138
- ⁴ [KRS 620.072](#)
[KRS 17.160](#); [KRS 17.165](#); [KRS 17.545](#); [KRS 17.580](#)
[KRS 156.095](#); [KRS 199.990](#); [KRS 209.020](#); [KRS 508.125](#)
[KRS 620.050](#); [KRS 620.146](#)
[OAG 77-407](#) OAG 77-407; [OAG 77-506](#) OAG 77-506; [OAG 80-500](#) OAG 80-50; [OAG 85-134](#) OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX

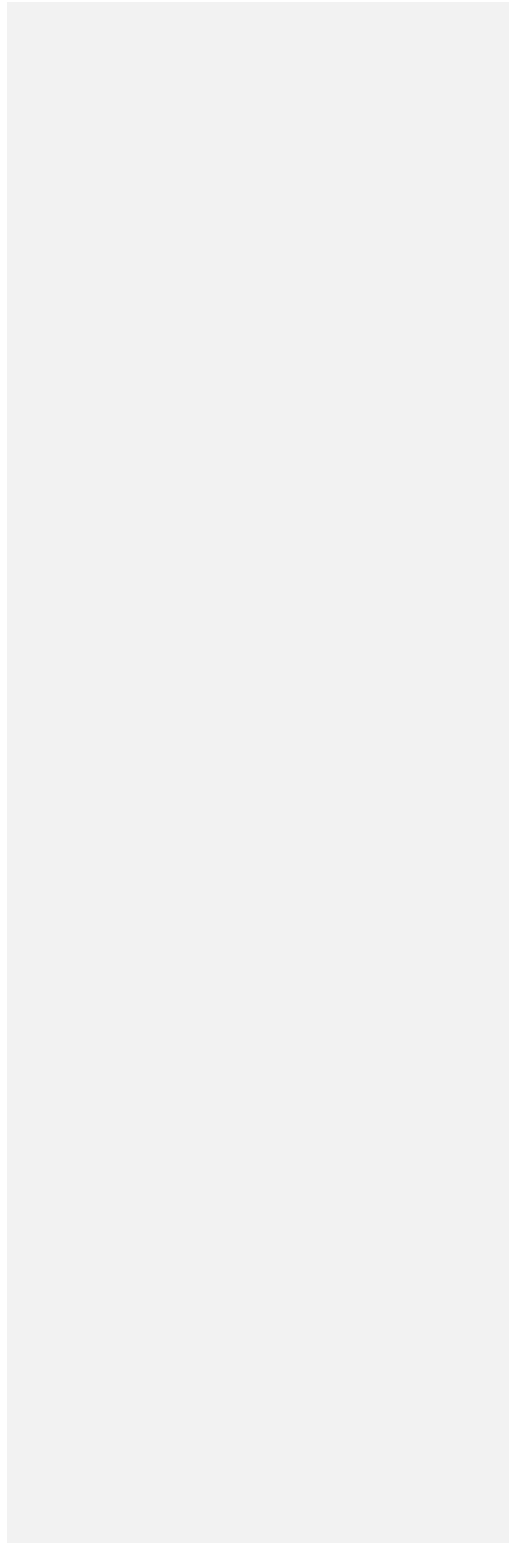
RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

Adopted/Amended: 8/3/2023

STUDENTS

09.227
Order #: VIII.B



STUDENTS

09.23

Student Insurance

MEDICAL AND ACCIDENT INSURANCE

In accordance with [780 KAR 002:110](#), all students enrolled in area technology centers (ATC) shall have medical and accident insurance coverage during the period of enrollment. The policy shall be a full excess policy (\$10,000 maximum limit) and pay the covered expenses incurred that are in excess of those paid or payable by another plan. Students shall be directed to take a copy of the insurance claim to their physician or hospital when seeking medical assistance due to injury while at the technical school. ATC staff shall complete the claim form and submit bills for payment.

LIABILITY INSURANCE FOR CLINICAL PARTICIPATION

State funds shall not be expended for the purchasing of student liability insurance. However, schools that operate health sciences programs where clinical experience is a required element of the curriculum may purchase student liability insurance provided the student reimburses the school. Students are responsible for the expense of liability insurance associated with their instructional program.

REFERENCES:

[780 KAR 002:110](#)

[KRS 158.860](#)

[Safety - Student Insurance Claim Form](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Student Organizations and Student Speakers

All students must have the opportunity to join and participate in the activities of the student organization connected to or associated with the program in which they are enrolled. Recognized as an integral part of the career and technical education program, career and technical student organizations provide a unique program of career and leadership development, motivation and recognition exclusively for secondary and postsecondary students enrolled in technical education programs. The career and technical student organization is a powerful instructional tool that is integrated into the curriculum and classroom by technical educators who are committed to the development of the total person.

The Office of Career and Technical Education recognizes the educational programs and philosophies embraced by the following career and technical student organizations as being an integral part of career and technical education instructional programs:

Technology Student Association (TSA)

DECA —~~An Association for Marketing Students~~

[FFA](#)

Future Business Leaders of America (FBLA) ~~FFA~~

[Future Health Professionals \(HOSA\)](#) ~~Health Occupations Students of America (HOSA)~~

SkillsUSA

Family, Career & Community Leaders of America (FCCLA)

[Educators Rising](#)

~~Organizations administered by the Office of Career and Technical Education include HOSA for students in health-related fields and SkillsUSA VICA for students in industrial technology programs.~~

Teachers and administrators shall advise and assist student organizations as they strive to improve the quality and relevance of instruction. The Kentucky TECH framework for total student development should include training in leadership and professionalism, employability and work ethics, community service and civic responsibility. Together with competitive events and industry-validated curriculum, these training components provide graduates with a strong foundation for employability, re-employability, and positive citizenship. The career and technical student organization should constantly support each program in addressing employer demands that Kentucky TECH graduates be fully functional in a globally competitive, team-managed work environment. Membership, while voluntary, shall be made available and recommended to each student as soon after enrollment as possible.

All student organizations and student organization activities shall be open to all students regardless of race, color, national origin, sex, religion, marital status, or disability. Age guidelines are set by national career and technical student organization constitutions and by-laws.

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including clubs.

NOTE: The school may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

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Student Organizations and Student Speakers**ORGANIZATION GUIDELINES**

- The State Advisor/Director has final authority to override any decisions of the Executive Councils that do not comply with the philosophies of the Office of Career and Technical Education.
- Career and Technical Student Organization state conferences shall be for the purpose of student professional development and professionally judged competition in career/technical skills and leadership ability. These activities are co-curricular, but shall require no more than three (3) school days to complete.
- Leadership development activities offered at the state or regional level for local officers are co-curricular but shall not require more than two (2) days per year.
- State officer training systems vary with each student organization. State career and technical student organization officers are often called upon to deliver training and professional development to others. The school advisor shall work closely with the officers to develop responsible and prudent time management skills. As ambassadors for leadership, officers are expected to be exemplary students first and foremost.
- Advisor training is an integral part of the career and technical student organization year. Administrators shall work with instructors to create a professional development plan that includes training in delivery of leadership development through a recognized career and technical student organization.
- Students attending an organization activity shall be adequately chaperoned by a designated and approved advisor. A chaperone to student ratio shall be no more than eight (8) students to one (1) advisor.
- Secondary student participation in regional, state, and/or national career and technical student organization activities, while co-curricular, shall be subject to local board of education policies and regulations.
- All conferences shall be evaluated to ensure accessibility. It shall be the responsibility of all registered participants with disabilities to request reasonable accommodations. The accommodations needed for registered participants and/or staff including, but not limited to, deaf interpreters and special equipment shall be the responsibility of the school that submitted the registration.
- Student organizations shall submit an annual program of work outlining plans and activities for the school year to the Principal for approval.
- Teacher(s) and students shall be made aware of all monetary transactions within the student organization through the proper maintenance of financial records.

Student Organizations and Student Speakers

ORGANIZATION GUIDELINES (CONTINUED)

- An organized record keeping system shall be available for review and audit upon request.
- A separate bank account in the name of the student organization shall be established with the requirement of two (2) signatures on each check or financial document. The two (2) signatures shall not ~~be from the Principal~~ ~~principal~~ or school secretary.

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EXPECTATIONS OF STATE OFFICERS

State officers shall represent the organization at all times in a manner that will reflect a positive image. They shall set an example for all members adhering strictly to the Code of Conduct for Participants as established by each organization. State Officers shall carry out the duties of their office, including:

- Being prepared to serve a full term representing their school and district.
- Attending local, state, and national activities including state and national conferences.
- Attending all State Officer training activities, some of which may be out of state.
- Serving the needs of local chapters and regions, including assisting with training local and regional officers.

State Officers found to be in violation of the above shall be reprimanded which may include resignation from their office according to each individual organization’s policies.

STUDENT SPEAKERS

Selection of students to speak at official events shall be made in a viewpoint-neutral manner. If the prepared remarks of the student are reviewed by school personnel, the prepared remarks of the student shall not be altered prior to delivery, except in a viewpoint-neutral manner, unless requested by the student. However, student speakers shall not engage in speech that is, for example, obscene, vulgar, offensively lewd, or indecent. If the content of the student’s speech is such that a reasonable observer may perceive affirmative institutional sponsorship or endorsement of the student speaker’s religious or political viewpoint, the institution shall communicate, in writing, orally, or both, that the student’s speech does not reflect the endorsement, sponsorship, position, or expression of the institution.

REFERENCES:

[KRS 158.183](#); [KRS 161.185](#)
[705 KAR 004:231](#)

Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

- 03.121
- 03.13241; 03.23241
- 08.221
- 09.15
- 09.36

Adopted/Amended: 6/7/2017
Order #: XIII(A)(1)

Social Events

SOCIAL EVENTS MAY BE APPROVED

Student social events may be approved by the ~~Principal~~principal under the following conditions:

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1. The door shall be controlled and admission limited to eligible students, guests, chaperones, and school personnel.
2. No one under the influence of alcohol or drugs shall be in attendance.
3. Adequate administrator and/or faculty supervision shall be provided.
4. A policeman shall be present for any event where it is anticipated that the nature of the crowd may pose conduct or safety problems.
5. In case of any disturbance which would jeopardize the safety of students present or threaten to deface or destroy school property, the ~~Principal~~principal or the ~~Principal's~~principal's designee shall immediately close the event and send pupils from the campus.
6. The ~~Principal~~principal may impose additional regulations as needed.¹

REFERENCES:

- ¹[KRS 161.180](#)
- [KRS 160.290](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

School-Related Student Trips

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

OFF-CAMPUS SITES

The Division of Pupil Transportation (DPT) in the Kentucky Department of Education has authorized transportation for secondary area technology center students who are transported to off-campus sites that provide actual work experience for training programs. This work experience must be a component of the curriculum of the technical program. Examples of approvable off-campus transportation are transporting health science students to clinical sites, or transporting carpentry or masonry students to off-campus building sites, etc.

Class trips designated as educational, but not related to work experience, shall not be approved or reimbursed for payment by the ~~Division of Pupil Transportation~~ DPT. Expenses incurred for such trips shall be the responsibility of ~~educators~~parties involved who plan the trips. The destination of educational trips shall be investigated to the extent that programs, activities, and buildings are accessible to persons with a disability.

Principals and teachers shall comply with the travel regulations for bus use established by the local school district(s). Vehicles that can transport nine (9) or fewer passengers, including the driver, may be used for approved school activities. Vehicles shall be clearly marked as transporting students.¹ If the local district imposes stricter guidelines for student transportation to school activities, the ATC should follow those guidelines.

Students participating in Work-Based Learning projects (cooperative education, mentoring, shadowing, etc.) shall provide their own transportation if not provided by a local school district. OCTE staff shall not use their personal vehicle or ATC vehicle to transport students.

Students traveling to off-campus training projects, student organizations events, and miscellaneous field trips shall be transported by local district school buses or in accordance with [702 KAR 005:130](#).

Teachers may arrange field trips with administrative approval to various businesses and industries whenever the trip is relevant to the training program or is a student organization activity. A field trip permission form shall be completed and signed by the parent/guardian of each student participating in the field trip:

- ~~Field Trip Permission Form – Short Trips See KY Tech Procedures~~[Field Trip Permission Form - Short Trips \(See KY Tech Procedures\)](#)
- ~~Field Trip Permission Form – Student Organizations~~[Field Trip Permission Form - Student Organizations \(see KY Tech Procedures\)](#)

Expenses incurred for such trips shall be the responsibility of the student organization and/or parties involved who plan the trips. Students shall not be permitted to drive a personal vehicle to a field trip site.

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School-Related Student Trips

DRIVERS/VEHICLES

All ~~District~~~~district~~- or State-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of vehicles and operation of approved passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

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Vehicles used to transport students on trips shall either be insured by a local board of education, owned by the state or be appropriately certificated as ~~a~~ common carriers.³

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OUT OF STATE TRAVEL FOR STUDENT ORGANIZATION ACTIVITIES

School advisors serving as official chaperones to out-of-state national student organization meetings shall be selected using criteria established by the respective student organizations and published in their constitutions, by-laws, or published guidelines. Advisors shall stay within budget limitations. Special room, meal and travel rates are negotiated for the national meetings. The budget is generally based on actual costs not to exceed per diem and/or travel limitations. Budget constraints require that the following guidelines for chaperones shall be followed for national student organization meetings:

1 – 8 students	1 Chaperone
9 – 16 students	2 Chaperones
17 – 24 students	3 Chaperones
25 – 32 students	4 Chaperones

NOTE: The number of chaperones shall not exceed 8 to 1 ratio. Consideration shall be given to the number of students of each gender in assigning the number of chaperones to attend the meeting(s).

Requests for travel shall have the approval of the ~~Principal~~~~principal~~, appropriate state career and technical student organization director, and the Office of Career and Technical Education. Chaperones shall be designated in the following priority order:

1. Advisors qualified to be “official advisors” according to the guidelines of each student organization;
2. State career and technical student organization directors;
3. Advisors attending to fulfill official state career and technical student organization obligations on national planning, coordinating, and contest committees; and
4. Corporate officers, persons receiving national recognition or honors, and those with other national obligations

A list of official representatives and chaperones for national conferences and state/national officer training activities shall be compiled by the state career and technical student organization director and sent to the appropriate administrators.

School-Related Student Trips

OUT OF STATE TRAVEL FOR STUDENT ORGANIZATION ACTIVITIES (CONTINUED)

Processing of out-of-state travel requests shall require the following:

- All out-of-state travel on official work time, with or without reimbursement of expenses, must first be reviewed by the supervisor.
- The supervisor shall initial the official out-of-state travel request form in the upper right hand corner acknowledging the request prior to submitting for approval.
- If approved by the supervisor, the request shall be forwarded to the state director and then submitted to the Director for the Office of Career and Technical Education for approval.
- Out-of-state travel requests must be submitted at least six (6) weeks prior to the actual travel time.
- Out-of-state travel requests shall follow the most current guidelines established for processing.

SUPERVISION AND TRAVEL OF STUDENTS

1. Local advisors shall be responsible for supervising students attending and participating in student organization events and activities.
2. A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips.² When traveling, students shall be accompanied by the local advisor who is an official chaperone and/or a member of the school faculty. Other school faculty or administrative staff may be utilized when the advisor is unable to travel or the size of the group warrants a second chaperone.² Districts may share an official chaperone but must submit [the appropriate form, see KY Tech Procedures, a Career and Technical Student Organization \(CTSO\) form:](#)

Advisor/Chaperone Consent Agreement.

3. Under the direction and supervision of local advisors, adult volunteers who have been approved by the local district may assist with supervisory responsibilities. Persons designated to accompany students shall be at least twenty-one (21) years old, shall not be a violent offender or have been convicted of a sex crime and shall submit to a criminal record check.⁴
4. When traveling out of the local community, each student shall sign *a* [medical release/parent permission form, see KY Tech procedures.](#) The local adviser shall bring these forms to each student activity and submit them in accordance to each association’s guidelines.
5. When traveling to student organization events, including overnight trips, male and female chaperones are recommended when the group includes both genders.
6. Students shall be transported to student organization events and activities in accordance with state and local policies. A vehicle driver who is transporting students shall be a school employee or a person contracted by the school district or state agency.⁵

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School-Related Student Trips**TRIP CODE OF CONDUCT FOR PARTICIPANTS**

Participants shall include advisors, students, and conference guests.

Local advisors/teachers/approved chaperones shall be responsible for their students at all times.

Each Career and Technical Student Organization shall adopt a Code of Conduct for its organization. The Code of Conduct shall be followed at all regional, state and national functions.

This Code of Conduct shall include at least the following:

- Participants shall attend all sessions in accordance with the conference agenda.
- Participants' behavior at all times shall be such that it reflects credit to the individual, the school, and the organization represented.
- All conference participants shall wear their conference ID while participating in conference activities.
- Participants shall keep advisors informed of where they are at all times.
- Participants shall sleep in the rooms for which they are registered.
- Students shall observe the designated curfew. (Curfew is described as being in the designated assigned room by the designated hour.) Curfew times shall be listed in the conference program.
- Participants shall respect hotel property and contest facilities and equipment. The individual(s) and/or parents/guardians shall pay any damages to the property or furnishings in the hotel rooms or building.
- Participants shall be considerate and respect the rights of their roommates and other hotel guests by refraining from behavior that may disturb others. Participants shall not make excessive noise or have the radio or TV at a high volume.
- Conference participants shall not possess or consume alcohol, drugs, or any form of artificial stimulant while traveling to, during, or returning from the conference/contest site. (Drugs prescribed by doctors are permissible in the original container.) Violators shall be expelled from the conference and turned over to the proper authorities. Chapter advisors shall notify parents/guardians and school principal of the action taken.
- Visitation of male and female members of the opposite sex in hotel guest rooms is strongly discouraged. Permission from advisors of both parties and designated adult supervision shall be obtained before visitation can take place. The chapter advisors shall be responsible for providing proper supervision between visitations of the opposite sex.
- Participants shall immediately report any accidents, injuries, or illnesses to their advisor.
- Use of tobacco products shall be prohibited in business sessions, workshops and other scheduled conference activities and while in official dress.
- Participants shall refrain from using profane language, making obscene gestures, or performing acts that would mar the image of the organization.
- When leaving the hotel or conference site, students shall stay in groups of at least three (3).

School-Related Student Trips**TRIP CODE OF CONDUCT FOR PARTICIPANTS (CONTINUED)**

- Students shall not participate in any activity that might cause personal injury to themselves or any other person. Any participant found in violation of hotel safety codes or criminal laws may be sent home at the expense of the student/parent/guardian. The chapter advisor shall contact the parents/guardians and the school principal.
- The State Career and Technical Staff Person shall have the right to take immediate action when violations occur, including sending individuals home at their own expense. In the event this occurs, the local advisor or the assigned chaperone shall contact the parents/guardians and the school principal.

MEDICATION

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the ~~Principal~~ principal/designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

REFERENCES:

- ¹[KRS 156.153](#)
²[KRS 161.180](#), [KRS 161.185](#)
³[702 KAR 005:060](#)
⁴[KRS 161.148](#)
⁵[KRS 158.110](#), [702 KAR 005:080](#)
[KRS 158.110](#), [KRS 158.838](#); [KRS 160.340](#), [KRS 189.125](#); [KRS 189.540](#)
[702 KAR 001:160](#); [702 KAR 003:220](#)
[702 KAR 005:030](#), [702 KAR 005:080](#), [702 KAR 005:130](#); [702 KAR 007:125](#)

RELATED POLICIES:

09.15; 09.122; 09.221; 09.32; 09.2241

Adopted/Amended: 4/20/2022
 Order #: IX.IV.

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STUDENTS

09.41

Pregnant and Married Students

Married and/or pregnant pupils shall be permitted the same rights and privileges as other pupils.¹
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: 6/4/2014

Order #: XXIII.B.2

Care of School and Personal Property**PUPILS RESPONSIBLE**

Pupils shall be held responsible for damage to school property.

SCHOOL PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:

1. Intentional harm, and
2. Damage beyond minor loss or breakage, excluding normal wear and tear.

PERSONAL PROPERTY OF SCHOOL PERSONNEL

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.²

STUDENTS' PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

PARENTS LIABLE

Parents shall be liable for property damage caused by their minor children.¹

REFERENCES:

¹[KRS 157.140](#) (Textbooks); [KRS 405.025](#) (Willful Damage)

²[KRS 158.150](#)

[KRS 158.154](#)

[704 KAR 003:455](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Bullying/Hazing

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

ACTIONS NOT TOLERATED

- The use of lewd, profane or vulgar language is prohibited.
- In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹
- This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods (cyber-bullying).
- Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

BULLYING DEFINED

Per [KRS 158.148](#), “bullying” is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or ~~debate~~debate, or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

HAZING DEFINED

Per [KRS 508.180](#), “hazing” is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;
- (d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;

Bullying/Hazing**HAZING DEFINED (CONTINUED)**

- (e) Endure brutality of a sexual nature; or
- (f) Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

*Per [KRS 508.180](#), “organization” is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

REPORTS

Students that believe they are victims of bullying/hazing shall be directed to report such incidents to school personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including intervening and reporting to the Principal those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or school. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it to the Principal or designee.

In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim’s Principal, as directed by policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

OTHER CLAIMS

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, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

STUDENTS

09.422
(CONTINUED)

Bullying/Hazing

REFERENCES:

¹[KRS 158.150](#)
[KRS 158.148](#)
[KRS 158.156](#)
[KRS 508.180](#)
[KRS 525.080](#)

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Mahanoy Area School District v. B. L., 594 US _ (2021)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

RELATED POLICIES:

03.162; 09.13; 09.421; 09.425; 09.426; 09.42811
09.2211 (re reports required by law)

Adopted/Amended: 8/3/2023
Order #: VIII.B

Use of Alcohol, Drugs and Other Prohibited Substances

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added ~~by regulation~~ under [KRS 218A.010](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in [KRS 217.900](#) or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED MEDICATION

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

PENALTY

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

REPORTING

School employees shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, ~~Principals~~ principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

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STUDENTS

09.423
(CONTINUED)

Use of Alcohol, Drugs and Other Prohibited Substances

REFERENCES:

[KRS 156.070](#); [KRS 158.150](#); [KRS 158.154](#); [KRS 158.155](#)
[KRS 160.290](#); [KRS 161.180](#)
[KRS 217.900](#); [KRS 218A.020](#); [KRS 218A.1430](#); [KRS 218A.1447](#)
[OAG 82-633](#); [OAG 93-32](#)

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).
Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of
Pottawatomie Cty. v. Earls, ___U.S. ___, 242 F.3d 1264 (2002).

RELATED POLICY:

09.2241

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) on or in all school property at all times, including any vehicle, owned, operated, leased, or contracted for use by the state, and while attending or participating in any school-related student trip or student activity.

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the state, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local school board's code of acceptable behavior and discipline.

REFERENCES:

P. L. 114-95, (Every Student Succeeds Act of 2015)
[KRS 160.290](#); [KRS 160.340](#); [KRS 161.180](#)
[KRS 438.050](#); [KRS 438.305](#); [KRS 438.345](#); [KRS 438.350](#)
[OAG 81-295](#); [OAG 91-137](#)
P. L. 1114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 10.5

Adopted/Amended: 8/7/2019
Order #: XVII.A.6

Assault and Threats of Violence

For purposes of this Policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

STUDENTS

Any student who threatens, physically assaults, batters or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of [KRS 508.078](#) and potential penalties under [KRS 532.060](#) and [KRS 534.030](#).²

EDUCATIONAL PERSONNEL

Any student who threatens, physically assaults, batters or physically or verbally abuses educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Disrupts the classroom environment and education process or the student challenges the authority of a supervising adult.
2. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
3. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

The Principal may establish (school) procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline ~~for the behavior~~ consistent with the school's code of conduct if the disruptive behavior persists.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

~~When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable.~~ The Principal/designee shall review the removal ~~as soon as possible~~ to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

Per [KRS 158.150](#), a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

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Assault and Threats of Violence**REMOVAL OF STUDENTS (CONTINUED)**

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, ~~the principals~~ shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child, pursuant to [KRS 620.030](#). This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

Assault and Threats of Violence**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION (CONTINUED)**

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the area.

NOTIFICATIONS

As soon as the Principal/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any school employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:¹[KRS 158.150](#)²KRS158.1559[KRS 158.154](#); [KRS 160.290](#)[KRS 161.155](#); [KRS 161.190](#); [KRS 161.195](#)KRS 209A:020; [KRS 209.160](#)[KRS 209A.100](#); [KRS 209A.110](#); [KRS 209A.130](#)[KRS 211.160](#); [KRS 403.720](#); [KRS 456.010](#)[KRS 508.025](#); [KRS 508.075](#); [KRS 508.078](#); [KRS 525.080](#)[KRS 532.060](#); [KRS 534.030](#); [KRS 620.030](#)[702 KAR 005:080](#)**RELATED POLICIES:**

03.123; 03.13253; 03.223; 03.23253; 05.4; 05.48

06.34; 09.14; 09.2211; 09.422; 09.426; 09.4281; 09.429; 09.4341

Adopted/Amended: 8/3/2023

Order #: VIII.B

Disrupting the Educational Process

Behavior that materially or substantially disrupts the educational process, whether on or off school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending student to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that disrupts the classroom environment and education process or the student challenges the authority of a supervising adult;
2. Conduct which threatens the health, safety, or welfare of others;
3. Conduct which may damage public or private property, including the property of other students or staff;
4. Illegal activity;
5. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
6. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities.

REMOVAL

Per [KRS 158.150](#), a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the ~~Principal~~ principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

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At any time during the school year, the ~~Principal~~ principal may permanently remove a student from a classroom for the remainder of the school year if the ~~Principal~~ principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the ~~Principal~~ principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

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- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the ~~Principal~~ principal shall be subject to an appeal process in accordance with Policy 09.42811/Grievances.

STUDENTS

09.426
(CONTINUED)

Disrupting the Educational Process

OTHER CLAIMS

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, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

REFERENCE:

[KRS 158.150](#)

RELATED POLICIES:

09.13; 09.422; 09.425; 09.4281; 09.42811; 09.431; 09.438

Adopted/Amended: 8/3/2023
Order #: VIII.B

STUDENTS

09.4261

Telecommunication Devices

Each area technology center shall follow the policy of the local school district where the center is located as to student use of cell phones, pagers, and other telecommunication devices. Students in violation of local school board policy shall be subject to disciplinary action.

REFERENCE:

[KRS 158.165](#)

RELATED POLICY:

09.426

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Student Dress Requirements

Students shall dress in accordance with specific safety regulations established in each technical program. All safety precautions shall be taken and additional precautions may be required depending on the technical area. The following is a list of essential safety practices related to student dress:

- Hardhats shall be worn when head protection is required.
- Safety glasses (with side shields) shall be worn by students and teachers at all times in the shop area.
- Shop and lab clothing shall be cleaned frequently.
- Student's hair length shall not pose a safety hazard; if hair is long, it shall be contained under an approved head covering.
- Loose and flowing clothing or dangling jewelry shall be avoided in labs equipped with moving or turning power equipment.
- Gloves and eye protection shall be worn by all Health and Human Services students when in direct contact with body fluids.
- Foot protection appropriate for the program shall be worn.
- Hearing protection shall be furnished if needed.

REFERENCE:

[KRS 158.183](#)

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Harassment/Discrimination Grievances

DEFINITION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex (including sexual orientation or gender identity), or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

School staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

GUIDELINES

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the ~~Principal~~ principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the superintendent of the local school district. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the local district Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

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Employees who believe prohibited behavior is occurring or has occurred shall notify the ~~Principal~~ principal, who shall immediately invoke the grievance investigation process. The ~~Principal~~ principal/designee may take interim measures to protect complainants during the investigation.

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PROCESS

The following student grievance process must be published each school year in its entirety in a student handbook or code of conduct for each center with an assurance that every student is notified and receives a copy of this policy and procedure.

Students shall be informed of this procedure as part of the Kentucky TECH student orientation. Documentation of this training is to be placed in student files each year.

Harassment/Discrimination Grievances

TITLE VI – TITLE IX – SECTION 504 – ADA – HARASSMENT

STUDENT GRIEVANCE PROCEDURE

Students who feel they have been discriminated against, harassed by students or employees, denied reasonable accommodations, and/or denied an opportunity to enroll in a vocational program, or participate in activities because of their race, color, national origin, sex, disability, age, religion, or marital status have the right to file an informal and/or formal complaint as follows:

NOTE: Regulations require notification of 180 days for filing with the Office for Civil Rights and/or filed within 60 days after the institution or other agency has completed its investigation and notified the complainant that it will take no further action. Extension can be granted for good reason.

INSTITUTION EEO/GRIEVANCE COUNSELOR(S)

NAME _____

ADDRESS _____ PHONE _____

STUDENT INFORMAL GRIEVANCE PROCEDURE

Step 1: If a complainant feels that he/she has been discriminated against, the student must first bring the problem to the attention of the EEO/Grievance Counselor within five (5) days of the knowledge or alleged cause for grievance occurs. The EEO Counselor will conduct a preliminary investigation of the alleged complaint.

Step 2: The complainant, EEO/Grievance Counselor, and other involved parties will work informally to negotiate a solution within five (5) school days (or a total of ten (10) days from filing a grievance).

Step 3: If the grievance cannot be satisfactorily resolved by working informally, the student may want to proceed to file a formal written grievance within five (5) school days. (A total of fifteen (15) school days from filing a grievance)

Step 4: A formal written grievance may be filed within fifteen (15) days of starting the Informal Grievance Process by completing the [Formal Grievance Process Form \(see KY Tech Procedures\) Formal Grievance Process Form](#).

which is available from the Harassment Coordinator or any of the following:

<https://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html>

<https://www.justice.gov/crt/fcs/TitleVI-Overview>

[Title IX](#)

[https://www](https://www2.ed.gov/)

[w2.ed.gov/](https://www2.ed.gov/)

[about/offic](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

[es/list/ocr/d](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

[ocs/tix_dis.](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

[html](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

[Section 504](#)

[ADA](#)

[https://www](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

[2.ed.gov/ab](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

STUDENTS

09.42811
(CONTINUED)

Harassment/Discrimination Grievances

[out/offices/1
ist/ocr/504f
aq.html](#)

NOTE: Days given are to keep the process moving and can be changed by agreement of all parties.

In the following Formal Grievance Procedure, the reference to the EEO/Grievance Counselor is the person assigned the duties of Title VI, Title IX, Section 504, ADA, and Harassment at the various levels in the procedure.

Harassment/Discrimination Grievances

STUDENT FORMAL GRIEVANCE PROCEDURE

Step 1: Within fifteen (15) school days of the alleged discrimination or denial of service, a student will file written notice to the appointed institution EEO/Grievance Counselor. The student's written notice shall identify the nature of the alleged discrimination, the date(s) of occurrence, expected outcomes, and be signed and dated by the student filing the grievance. The appointed EEO/Grievance Counselor shall respond in writing regarding the process followed, persons involved, and other investigative steps taken to try and resolve the alleged grievance. The EEO/Grievance Counselor's response will be given to the complainant within five (5) school days from the date of initiation of Step 1 of the formal grievance process. (*See Form, [Formal Grievance Response to the student \(in KY Tech Procedures\)](#)*~~*Formal Grievance Response to the Student.*~~). The proposed solution to resolving the alleged grievance will have to be approved by the Kentucky TECH administrator and other parties involved. (Within a total of twenty (20) school days from the initiation of the grievance process)

Step 2: If the complainant is not satisfied with the proposed solution, the complainant may appeal in writing by notifying the Kentucky TECH administrator within five (5) school days of the proposed solution to be taken in Step 1. (*See Form, [Formal Grievance Appeal Form for Students \(in KY Tech Procedures\)](#)*~~*Formal Grievance Appeal Form for Students.*~~). The Step 2 appeal written notice must contain all written documentation from Step 1 and the student's written reasons for not accepting the proposed solution to be taken. The Kentucky TECH administrator will respond in writing to the complainant within five (5) school days from the date of the Step 2 written appeal as to the action to be taken (or within a total of thirty (30) school days from the initiation of the grievance process).

Step 3: If the complainant is not satisfied with the recommended action to be taken by the Kentucky TECH administrator, the complainant may appeal in writing within five (5) school days to the attention of the EEO/Grievance Coordinator, Office of Career and Technical Education, 300 Sower Blvd., 5th Floor, Frankfort, KY 40601. Mark the envelope "CONFIDENTIAL". The Step 3 written appeal must contain all written documentation related to Step 1 and Step 2 of this Formal Grievance Process. The complainant must include their written statement as to the reasons for not accepting the proposed solution to their alleged grievance. The EEO/Grievance Coordinator for the Office of Career and Technical Education will respond in writing, within twenty (20) school days of the date of the Step 3 appeal as to the recommended action to be taken, or within fifty-five (55) school days from the initiation of the grievance process.

A complainant may withdraw a complaint at any time during Step 1, 2, and 3 by completing the Complaint Withdrawal Form for Students. (*See Form, [Complaint Withdrawal Form for Students \(in KY Tech Procedures\)](#)*~~*Complaint Withdrawal Form for Students.*~~).

The following is another option for resolving a complaint that can be used by students, parent/guardian of a minor student, or employees:

In the event that the complainant is not satisfied with the action taken at any point in the grievance process or upon completion of Step 3, the complainant may call or write for technical assistance to the Director of the Office of Civil Rights, Eastern Division, in Philadelphia, PA. If the complainant wants to file a grievance with OCR it must be in writing, signed, and dated and include any information collected or used in the attempt to resolve the complaint at the local level. The complainant has 180 days to file with OCR from the date of the incident or within 60 days after completion of the local grievance process.

Harassment/Discrimination Grievances**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, school personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

School employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

STUDENTS

09.42811
(CONTINUED)

Harassment/Discrimination Grievances

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of ~~allegations~~the allegations, the ~~Principal~~principal shall take steps to protect employees and students against retaliation.

FALSE COMPLAINTS

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

OTHER CLAIMS

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, 09.422 and/or 09.426.

REFERENCES:

¹[KRS 158.156](#)

42 USC 2000e, Civil Rights Act of 1964, Title VII

Racial Incidents and Harassment Against Students at Educational Institutions;

Investigative Guidance (U.S. Department of Education)

U. S. Supreme Court - Franklin vs. Gwinnett County

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)

Regulations Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights

Regulations Implementing Title IX

Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)

Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

09.13; 09.2211; 09.227; 09.422; 09.426

Adopted/Amended: 8/5/2021

Order #: VIII.A.1

Title IX Sexual Harassment

INTRODUCTION AND SCOPE

A United States Department of Education regulation published on May 19, 2020, defines sexual harassment for purposes of Title IX (sometimes referred to in policy and procedure as “Title IX Sexual Harassment”). In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply (including the initiation of a “formal complaint”) before there is a determination that a student is responsible for Title IX Sexual Harassment. The applicable definition of sexual harassment describes serious sexual misconduct. If the alleged actions that are the subject of a formal complaint do not descend to the level of conduct described in the definition of Title IX Sexual Harassment; do not take place in a “program or activity” of the School within the meaning of Title IX; or do not take place in the United States, the formal complaint must be dismissed.

Such a dismissal does not mean that the alleged offending party cannot be the subject of investigation or discipline on grounds other than “Title IX Sexual Harassment” as addressed in Board policy or law, including conduct allegedly constituting sexual harassment or other sexual misconduct that does fall within the definition of “Title IX Sexual Harassment.”¹

PROHIBITION

Title IX Sexual Harassment in educational programs or activities of the School is prohibited.

GRIEVANCE PROCEDURE

The School shall provide a Title IX Sexual Harassment grievance procedure that treats complainants and respondents equitably as required by Federal Regulation.²

DEFINITIONS

Title IX Sexual Harassment

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School’s education program or activity;
- 3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.³

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****Title IX Sexual Harassment (continued)**

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Consent

“Consent” means a voluntary expression of willingness, permission, or agreement to engage in sexual activity throughout a sexual encounter. Consent cannot be granted by an individual: who is less than the statutory age of consent under Kentucky criminal law, has a mental or physical condition or incapacity that prevents the giving of consent; or from whom ostensible “consent” is extracted through threat, coercion, or forcible compulsion.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a complainant who is participating or attempting to participate in the School’s educational programs or activities may file a formal complaint.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. This applies to such ~~individual~~ individuals even if no formal complaint is filed. Only a person in his or her individual capacity is subject to a Title IX investigation.

Title IX Coordinator (TIXC)

The TIXC is the individual or individuals designated and authorized to coordinate School Title IX programs. The TIXC is expected to engage in activities intended to provide a fair and neutral process for all parties, including implementation of supportive measures and remedies where appropriate. The ~~School~~ school may use co-coordinators and/or deputy coordinators.

Title IX Sexual Harassment

Formal Complaint

“Formal complaint” means a document filed by a complainant or signed by the TIXC alleging sexual harassment against a respondent and requesting that the ~~School~~school investigate the allegation of sexual harassment. A formal complaint may be filed with the TIXC in person, by mail, or by electronic mail, ~~by,~~ using the contact information provided by the ~~School~~school. The complaint document may be physical or electronic, shall contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. Where the TIXC signs a formal complaint, the TIXC is not “the complainant” or otherwise considered a ~~party, but~~party but is to comply with applicable procedures.

Supportive Measures

“Supportive measures” mean nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling, extensions of deadlines or other course- related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, unilateral restrictions on contact that are not unreasonably burdensome on a respondent, changes in work or housing locations, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures shall be confidential, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The TIXC is responsible for coordinating the effective implementation of supportive measures.

Education Program or Activity

“Education program or activity” means ~~School~~school operations and includes locations, events, or circumstances over which the ~~School~~ school exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

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Preponderance of the Evidence

“Preponderance of evidence” means evidence that is of greater weight or more convincing than an asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

REGULATION AND POLICY DOES NOT AFFECT PARENT RIGHTS

Absent a court order or other legal requirement to the contrary, a parent or guardian is authorized to act on behalf of a minor student regarding decision-making and the exercise of rights under the Title IX Sexual Harassment policy and procedure, including the opportunity to accompany a minor student to meetings and interviews.

Title IX Sexual Harassment

SEGREGATION OF FUNCTIONS / CONFLICT OF INTEREST

The TIXC, investigator, decisionmaker(s), and any informal resolution facilitator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. These individuals are to serve impartially without prejudgment of the facts at issue. The investigative, initial decision-making, appellate decision-making, and resolution functions must be performed by different trained individuals, who may be School employees or contractors.

CONFIDENTIALITY

With respect to its administration of Title IX Sexual Harassment policies and corresponding procedures, the ~~School~~ school must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under FERPA⁴, required by law, or to carry out Title IX purposes, including the conduct of any investigation, hearing or Title IX judicial proceedings.

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Investigative evidence directly related to the allegations of a formal complaint gathered by the ~~School~~ school is subject to inspection and review by the parties but is not to be disseminated to the public. The United States Department of Education rule commentary provides that under the applicable FERPA definition of "education records" a parent of a complainant or respondent (or eligible student) has a right to inspect and review any witness statement that is directly related to the student, even if that statement contains information that is also directly related to another student, if the information cannot be segregated or redacted without destroying its meaning.⁴

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EMPLOYEES SHALL REPORT

Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.2211, notification of state officials shall be made as required by law.⁶

FALSE REPORTS PROHIBITED

Employees or students who intentionally make false reports related to the ~~School's~~ school's administration of this policy and the corresponding procedures, are subject to disciplinary sanctions under applicable ~~School~~ school policy, law, or the Code of Acceptable Behavior and Discipline, as applicable.

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Title IX Sexual Harassment

RELATED EVIDENCE RULES SUMMARY

The following rules apply to the ~~School~~ school investigation and grievance process under the Title IX Sexual Harassment regulation:

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- a) The ~~School~~ school shall not require, allow, rely upon, or otherwise use questions or evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
- b) The ~~School~~ school cannot access, consider, disclose, or otherwise use a party’s records made or maintained in connection with provision of treatment to the party by medical or mental health professionals or paraprofessionals unless the ~~School~~ school obtains written consent from the party.
- c) Questions and evidence about the complainant’s sexual predisposition or prior behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct or, such questions or evidence are offered to prove consent.

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RETALIATION PROHIBITED

No ~~School~~ school or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any Title IX investigation, proceeding, or hearing.

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REFERENCES:

- ²34 C.F.R. § 106.45
- ³[KRS 510.020](#)
- ⁴85 Fed. Reg. 30433 (May 19, 2020)
- Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)
- Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)
- Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
- Clery Act (20 U.S.C. §1092(f)(6)(A)(v))
- Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v))
- 34 U.S.C. § 12291(a)(10)
- 34 U.S.C. §12291(a)(3)
- 34 U.S.C. §12291(a)(8)

RELATED POLICIES:

- ¹03.162; 09.42811
- ⁵09.14
- ⁶09.227; 09.2211
- 03.1621

Adopted/Amended: 10/7/2020
Order #: XIII.A.5

Student Discipline

Teachers and administrators employed in or assigned to work in a Kentucky TECH school shall be responsible for the supervision and discipline of students while they are in attendance at the area technology center. Students are responsible for complying with the policies and procedures of the area career and technology center ~~(ATC)~~.

The authority of the school in matters of student behavior is not limited to the school building and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

The following, along with other serious infractions, shall be cause for disciplinary action, up to and including suspension from the school:

- Willful disobedience or defiance of the authority of teachers and administrators
- Assault, battery, or abuse of other students or school personnel
- Threat of force or violence
- Use or possession of illicit drugs or alcohol
- Stealing, destroying or defacing school or personal property
- Possessing or using dangerous weapons or instruments
- Other incorrigible bad conduct on school property or at school- sponsored activities

Secondary students who are subject to disciplinary action by the ATC ~~Principal~~ principal shall be reported to the principal of the sending high school in which the student is enrolled, where pursuant to [KRS 158.444](#), the incident must be recorded within the student information system.

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TREATMENT OF PUPILS

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of [KRS 158.150](#), no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.
3. The student and/or parent/guardian may appeal actions taken to the ~~Principal~~ principal or to the Circuit Court with appropriate jurisdiction.¹

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Student Discipline

SERIOUS PROBLEMS

Serious disciplinary problems shall be promptly reported to the ~~Principal~~ **principal** and to the parent(s) of the student. The ~~Principal~~ **principal** shall also forward the report to the principal of the sending high school.

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CHILDREN AND YOUTH WITH DISABILITIES

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

REFERENCES:

- ¹[KRS 158.153](#)
- [KRS 158.150](#); [KRS 158.444](#)
- [KRS 160.290](#); [KRS 160.340](#); [KRS 160.345](#)
- [KRS 161.180](#); [KRS 610.345](#)
- P. L. 105-17
- [780 KAR 002:060](#)

RELATED POLICIES:

- 09.14
- 09.423
- 09.425
- 09.426
- 09.434

Adopted/Amended: 8/5/2021
Order #: VIII.A.1

Due Process

RIGHT TO DUE PROCESS

Before being punished at the school level with suspension for violation of school regulations, a student shall have the right of the following due process procedures.¹

1. The student shall be given oral or written notice of the charge(s) against him or her;
2. If the student denies the charge(s), the student shall be given an explanation of the evidence of the charge(s) against him or her; and
3. The student shall be given an opportunity to present his or her own version of the facts relating to the charge(s).

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.²

REFERENCES:

¹[KRS 158.150](#)

²P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

RELATED POLICIES:

- 09.426
- 09.43
- 09.433
- 09.434
- 09.4341
- 09.435

Adopted/Amended: 8/3/2023
Order #: VIII.B

STUDENTS

09.433

Corporal Punishment

Employees shall not utilize corporal punishment as a penalty or punishment for student misbehavior. Corporal punishment shall refer to the deliberate infliction of physical pain on a student by any means.

REFERENCES:

[KRS 160.290](#)

[KRS 160.340](#)

[KRS 161.180](#)

[704 KAR 007:160](#)

[704 KAR 007:170](#)

RELATED POLICIES:

09.2212

09.43

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Suspension

WHO MAY SUSPEND

In accordance with [KRS 158.150](#), the area technology center ~~(ATC)~~ Principal or his/her designee shall have the authority to immediately suspend secondary students from the ~~Area Technology Center (ATC)~~, without action by the sending school, to protect persons or property, or to avoid disruption of the ongoing academic programs. Students who are covered under IDEA or Section 504 may not be suspended from school for more than ten (10) days total during the school year. If more suspension is required, an ARC meeting must be held to determine appropriate placement and if the behavior is a result of the disability.

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The Kentucky TECH school administrator shall submit in writing to the principal of the sending high school the reason(s) for disciplinary action and recommend any further action. The Principal of the sending high school shall respond to the Principal of the ~~area technology center~~ [ATC](#) as to the action to be taken.

Secondary students who are suspended from a participating local high school or expelled from a participating local school district shall be suspended or expelled for the Kentucky TECH School in which the student is enrolled.

PRIOR DUE PROCESS REQUIRED

A student shall not be suspended until due process procedures have been provided as described in [KRS 158.150](#) (09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

IMMINENT DANGER

The due process procedures outlined in [KRS 158.150](#) shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal/designee shall report any suspension in writing¹ immediately to the principal of the sending school and to the parent of the student being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

ALTERNATIVE SCHOOL STUDENTS

According to Title 780 of the Kentucky Administrative Regulations, any student who is suspended or expelled from a participating local high school is also suspended from the Kentucky Tech School in which he/she is enrolled. If a student is expelled from the school system and placed in an alternative school setting, he/she will only be allowed back in a Kentucky Tech School with special permission from the Associate Commissioner’s Office.

The Kentucky Tech System is like any other school system in the state and has the right to deny admission to a student who has been expelled from another school to ensure a safe environment that is conducive to learning for all students.

STUDENTS

09.434
(CONTINUED)

Suspension

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹[KRS 158.150](#)

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; [Honig v. Doe](#), 108 S.Ct. 592(1988)

[OAG 77-419](#); [OAG 77-427](#); [OAG 77-547](#)

[OAG 78-392](#); [OAG 78-673](#)

[707 KAR 001:340](#), [780 KAR 002:060](#)

[Goss v. Lopez](#), 419 US 565 (1975)

RELATED POLICIES:

08.131; 09.425; 09.426; 09.43; 09.431

Adopted/Amended: 8/3/2023
Order #: VIII.B

Search and Seizure

REASONABLE SUSPICION

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.¹ Search of a pupil's person shall be conducted only with the express authority of the ~~Principal~~principal/designee.

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AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the ~~Principal~~principal/designee. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS/PERSONAL SEARCHES

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

STRIP SEARCHES

No strip searches of students shall be permitted.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when ~~requested to~~requested shall be subject to other disciplinary ~~action~~actions.

REGULAR INSPECTION

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the ~~school~~school, or the Office of Career and Technical Education are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

ILLEGAL ITEMS

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

Search and Seizure

FACILITY DRUG SEARCH

A request to use dogs for a drug search in an area technology center shall not be conducted without a search warrant or consent of the ~~Principal~~principal or designee. Although local boards own area center facilities operated by the Office of Career and Technical Education, local law enforcement officials should either obtain the consent of ~~Principal~~principal or designee or present a search warrant. For further advice on this procedure, contact the Office of Career and Technical Education and/or the Kentucky Department of Education Office of Legal Services.

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OTHER DISRUPTIVE ITEMS

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the ~~Principal's~~principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

REFERENCES:

- ¹[New Jersey vs. T.L.O.](#), 105 S.Ct. 733 (1985)
[KRS 161.180](#); [KRS 531.335](#)
- Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

RELATED POLICIES:

08.2323; 09.4261

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Police Officers in the School

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., ~~servicing~~ ~~of~~ ~~servicing~~ subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.¹

When students are arrested at school, the ~~Principal~~ ~~principal~~/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

CRIMES OFF SCHOOL PROPERTY

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order, or juvenile petition or arrange to interview the student off the school grounds.
4. If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent² and shall provide the cabinet access to a child subject to an investigation without parental consent.³

CRIMES ON SCHOOL PROPERTY

Except in cases of emergencies involving threats to health and safety, when the ~~Principal~~ ~~principal~~ calls law enforcement officials to question students concerning crimes committed on school property, the ~~Principal~~ ~~principal~~ shall make an effort to notify their parent(s).

REFERENCES:

¹[OAG 76-129](#)

²[OAG 85-134](#), [OAG 92-138](#)

³[KRS 620.072](#)

RELATED POLICIES:

09.1231; 09.227

Adopted/Amended: 6/7/2017

Order #: XIII(A)(1)

Public Information Program

It is the intent of the Kentucky Department of Education (KDE) to communicate with the public and the news media in an open and forthright manner. However, official communications about KDE initiatives should be handled through the Division of Communications.

PUBLICATION REQUIREMENTS

The following guidelines shall be used to ensure that the Office of Career and Technical Education publications do not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or marital status and meet the Office of Career and Technical Education printing requirements:

- Kentucky Office of Career and Technical Education is printed on the cover.
- Publications should conform to KDE Graphic Standards Manual and KDE Style Guide.
- If material is copied with permission from another source, add “Reprinted by the Kentucky Office of Career and Technical Education” on the cover.
- The notation “Printed with State Funds” or “Printed with Federal Funds” shall appear on the publication.
- The nondiscrimination policy statement shall be printed on the bottom of the inside front cover of manuals and booklets.
- All items should include a date of publication or update.
- The language and illustrations shall be free from discrimination based on race, color, national origin, sex, disability, age, religion, or marital status.

NOTE: Specialty items are not subject to the printing requirements. Examples of specialty items include: mugs, pens, pencils, decals, flags, linens, T-shirts, notebooks, hats, banners, etc. Schools are encouraged to use the Kentucky TECH logo when purchasing specialty items.

LETTERHEAD/ENVELOPES

~~All orders for electronic letterhead and envelopes are to be sent through the Office of Career and Technical Education (FAX 502/564 4286). If no changes are necessary, please indicate by marking “no changes”.~~

RELATED POLICIES:

01.1
10.12

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Access to Public Records

Pursuant to [KRS 61.870](#) to 61.884, the public is notified that, as provided herein, the public records of a state operated career and technical school are open for inspection by any person on written application to the Principal of the school from 8:00 a.m. – 4:00 p.m., Monday through Friday, each week, except for holidays. Application forms for the inspection of the public records of the school. Assistance in completing a request form will be provided by an employee on request.

Applicants for the inspection of public records shall be advised of the availability of the records requested for inspection and shall be notified in writing of any reasons the records are not available for public inspection not later than three (3) working days after receipt of an application for inspection.

Copies of written materials in the public records of this educational institution shall be furnished to any persons requesting them on payment of a fee of ten (10) cents a page; copies of other records (photographs, maps, materials stored in computer files or libraries, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economical process not likely to damage or alter the record.

REFERENCES:

[KRS 7.110](#); [KRS 7.410](#); [KRS 61.870](#)
[KRS 61.872](#); [KRS 61.874](#); [KRS 61.876](#)
[KRS 61.878](#); [KRS 61.880](#); [KRS 61.882](#), [KRS 61.884](#)
Art. 6252-17A, Sec. 14(e), V.A.T.S.
[OAG 76-375](#); [OAG 80-207](#); [OAG 85-109](#); [OAG 89-90](#)
96-ORD-159
Kentucky Family Educational Rights and Privacy Act
Kentucky Education Technology System (KETS)

RELATED POLICIES:

03.15; 09.14

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Public Statements

MEDIA COMMUNICATIONS

All decisions concerning communications and contacts with the news media should be made by or in cooperation with the Kentucky Department of Education ~~Office~~ Division of Communications Services. Press releases and other information disseminated or released to the general public on behalf of the technical education programs operated by the Office of Career and Technical Education (OCTE) shall be accurate and in keeping with Kentucky TECH policies and the following guidelines:

- OCTE employees who receive a call from the news media shall contact the Division of Communications (DOC) ~~by phone at (502) 564 2000~~ before granting an interview.
- The ~~Division of Communications~~ DOC will work with employees to decide who should give the interview and how it should be handled.
- If employees are in a public situation, such as a meeting where contact with the news media is unavoidable, they shall report that contact to the ~~Division of Communications~~ DOC as quickly as is practical.
- If employees wish to publicize an event, program or accomplishment, they should consult with the ~~Division of Communications~~ DOC beforehand. Generally, the ~~Division of Communications~~ DOC issues all news releases. If employees have reason to think they should issue a release, or wish to make a practice of releasing positive local news, they still need to work with the ~~Division of Communications~~ DOC first.
- The ~~Division of Communications~~ coordinates policy for all publications such as annual reports, brochures, fact sheets to legislators, etc. If employees feel there is a need to develop such a publication, get the permission and cooperation of the ~~Division of Communications~~ DOC.
- Public statements concerning controversial or potentially disruptive matters related to career and technical schools shall be issued only by the Commissioner of Education, Associate Commissioner or authorized designee.
- Personnel issues or controversial issues should be directed to the KDE ~~Division of Communications~~ DOC.
- Positive school/community focused stories may be handled by the Principal/principal or may be directed to the ~~Division of Communications~~ DOC.

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RELATED POLICY:

10.1

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Civility

Recognizing that the vast majority of input received will be of a constructive and civil nature, parental and community member involvement is welcome. This policy is designed to address those rare ~~instanees~~instances where civil interchange is not the case.

While it is not the intent to deny an individual's right to freedom of expression, the ~~Prineipa~~principal and staff has the responsibility to maintain, to the extent possible and reasonable, safe, harassment-free schools, school activities, and workplaces for students and staff and to minimize disruptions to the KDE operated schools programs.

PREPARATION OF EMPLOYEES

The ~~Prineipa~~principal/designee shall implement intervention and response training to notify employees of this policy and their corresponding responsibilities and to prepare them to deal with incidents of incivility.

BEHAVIOR STANDARDS

Persons coming onto school property shall be under the jurisdiction of the ~~Prineipa~~principal or designee.

School employees shall be courteous and helpful in interacting and responding to parents, visitors, and members of the public. In turn, individuals who come onto school property or contact employees on school business are expected to behave accordingly. Specifically, actions that are discouraged and may warrant further action include, but are not limited to:

1. Cursing and use of obscenities,
2. Disrupting or threatening to disrupt school or office operations,
3. Acting in an unsafe manner that could threaten the health or safety of others,
4. Verbal or written statements or gestures indicating intent to harm an individual or property, and
5. Physical attacks intended to harm an individual or substantially damage property.

Employees who fail to observe these standards in their own behavior shall be subject to appropriate disciplinary measures, up to and including dismissal.

EMPLOYEE OPTIONS

In cases involving physical attack of an employee or imminent threat of harm, the first priority shall be for employees to take immediate action to protect themselves and others. In absence of an imminent threat, employees shall attempt to calmly and politely inform the individual of the provisions of this policy and/or provide him/her with a copy. However, if the individual continues to behave in a discourteous and uncivil manner, the employee may respond as needed, to include, but not be limited to, the following options:

1. Hang up on a caller;
2. End a meeting;
3. Ask the individual to leave the school;
4. Call the site administrator or designee for assistance; and/or
5. Call the police.

Civility

EMPLOYEE OPTIONS (CONTINUED)

Employees shall submit to the ~~Principal~~principal, as soon as possible, a written incident report for all such occurrences. The ~~Principal~~principal, on advice from a Kentucky Department of Education attorney, shall determine whether an incident indicates the need for a restraining order or pursuit of other legal options on behalf of the school. Individual employees are free to pursue other legal courses of action.

REFERENCES:

[KRS 161.190](#), [KRS 503.110](#), [KRS 518.090](#)

RELATED POLICIES:

03.1325, 09.425, 10.5

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Relationships with Business and Industry

The Office of Career and Technical Education strives to develop and maintain a working relationship with business and industry, including work with consortiums across the state.

The spectrum includes, but is not limited to, students, business and industry, employees, coworkers, and other agencies. Frequently, ~~staffe~~workers find themselves involved in special projects above and beyond the realm of their normal work. When this happens, collaborators serve as a valuable resource who may be called upon for assistance.

Employees should make every effort to respond in a timely manner without violating a business's confidentiality policies. When confidentiality may be a consideration, employees should contact their supervisor before they proceed with divulging information.

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2

Advertising and Distribution of Materials in the Schools

PROHIBITION

No advertising or distribution of materials from other agencies shall be allowed in the facilities or on the grounds of a state-operated career and technical school, except as expressly approved by the local board of education.

EXCEPTION

Nothing herein shall be construed to prevent advertising in publications which are published by the local district, student organizations, PTA/PTO, booster clubs, or other parent groups.

REFERENCES:

[KRS 158.183](#)

[OAG 68-452](#)

Adopted/Amended: 6/4/2014

Order #: XXIII.B.2

Visitors to the Schools

A visitor is any person who is not a current employee of the Office of Career and Technical Education (OCTE) or a student at the area technology center (ATC). For the safety of students, all visitors, including but not limited to, parents, delivery persons, and volunteers, shall follow the procedures listed below:

1. All visitors shall first sign in at the school office and receive permission from the ~~Principal~~principal or designee before entering labs/classrooms. Visits to classrooms shall be scheduled in advance unless authorized by the ~~Principal~~principal/designee.
2. Visitors shall be issued a Visitor’s Pass when permitted to enter labs/classrooms.
3. A visitor refusing to sign-in or to wear a visitor’s tag shall not be allowed to enter the school. The ~~Principal~~principal shall be notified immediately of a visitor failing to sign in. If appropriate under the circumstances, school security or law enforcement shall be contacted.
4. Employees shall notify the ~~Principal~~principal or designee immediately if someone is observed in the school that is not recognized as an ~~Office of Career and Technical Education~~ OCTE employee or does not have an approved Visitor’s Pass. If appropriate under the circumstances, school security or law enforcement shall be contacted.
5. Visitors shall be required to exit the building through the office and sign out.
6. Students shall not be allowed to bring a visitor to the ~~area technology center~~ ATC without prior approval of the ~~area technology center~~ ATC Principal.

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REGISTRANTS

No registrant, as defined in [KRS 17.500](#), nor any person residing outside of Kentucky who would be required to register under [KRS 17.510](#) if the person resided in Kentucky, shall be on, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of an area technology center, except with the advance written permission of the Principal that has been given after full disclosure of the person's status under [KRS 17.510](#) as a registrant or sex offender from another state and all registrant information as required in [KRS 17.500](#).

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in [KRS 600.020](#), who has committed:
 - a. A sex crime; or
 - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under [KRS 17.510](#); or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to [KRS 533.250](#), until the diversionary period is successfully completed.

Visitors to the Schools

REGISTRANTS (CONTINUED)

Per [KRS 17.545](#), “loiter” is defined as remaining in or about the clearly defined grounds of a ~~District~~ ~~district~~ school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

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Per [KRS 17.545](#), “mobile business” is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

A registrant, who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The ~~Principal~~ ~~principal~~ shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the ~~Principal's~~ ~~principal's~~ response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the ~~Principal~~ ~~principal~~ while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The ~~Principal~~ ~~principal~~ shall notify the local district ~~Superintendent~~ ~~superintendent~~/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the ~~Principal~~ ~~principal~~ shall consult with the ~~Superintendent~~ ~~superintendent~~ concerning requests from registrants, and the ~~Superintendent~~ ~~superintendent~~ may seek further advice from [the Kentucky Department of Education Office of Legal Services, a Kentucky Department of Education Attorney](#).

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For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the ~~Principal~~ ~~principal~~ shall consult with the ~~Superintendent~~ ~~superintendent~~ as the executive agent of the local district board of education before making a final determination.

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Visitors to the Schools

CONDUCT/PROHIBITION ON RECORDING

All visitors to the school must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the ~~Principal~~principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

ACCOMMODATION

Individuals with disabilities visiting area technology centers shall be accommodated as required by law. Individuals requesting accommodation shall contact the ~~Principal~~principal, who shall consult with the local district ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Use of ~~power-driven~~power-driven mobility devices
- Event ticket sales accommodation
- Use of service animals
- Companion seating at events

The ~~Principal~~principal shall notify the public of any requirements and/or deadline for requesting such accommodation.

WEBSITE ACCESSIBILITY

The ~~District~~district is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the ~~District's~~district's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under ~~District~~district developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official ~~District~~district-web presence which is developed by, maintained by, or offered through the ~~District~~district or ~~third-party~~third-party vendors and open sources.

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USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in [KRS 438.305](#), on property of area technology centers, shall be governed by the policy of the local district board of education. At minimum, the use of any tobacco product, alternative nicotine product, or vapor product shall be prohibited inside the school.

Visitors to the Schools

REFERENCES:

¹[KRS 438.345](#)

²[KRS 438.050](#)

³[KRS 511.070](#); [KRS 511.080](#); [OAG 90-11](#)

[KRS 17.545](#); [KRS 17.500](#); [KRS 17.510](#)

[KRS 160.380](#); [KRS 211.394](#); [KRS 211.395](#); [KRS 438.305](#)

[KRS 600.020](#); [KRS 620.146](#)

[OAG 91-137](#)

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

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

RELATED POLICIES:

01.1

03.113; 03.1327; 03.162; 05.3

09.1231; 09.227; 09.4232; 09.426; 09.42811

Adopted/Amended: 8/3/2023
Order #: VIII.B

Internal Communications

Employee information must be shared with staff in a timely and efficient manner. It is the responsibility of the individual in possession of the original information to determine which staff members need access to the information and to ~~assure~~ensure that the information is disseminated accordingly. It is the responsibility of the recipient to notify the sender if the type of information received is no longer needed.

Adopted/Amended: 6/4/2014
Order #: XXIII.B.2