

LEGAL: 702 KAR 7:065 CLARIFIES THAT THE CARDIOPULMONARY RESUSCITATION COURSE
PROVIDER MUST BE APPROVED BY KHSAA AND BE BASED UPON INDUSTRY STANDARDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1161

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -

Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency that is approved by the KHSAA and be based upon industry standards. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

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

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.2141

09.311

LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING THE DISTRICT TO MAKE SPECIFIED REPORTS
CONCERNING SICK LEAVE TO THE TEACHERS' RETIREMENT SYSTEM. THE BILL INCLUDED AN
EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.
FINANCIAL IMPLICATIONS: COST IN PREPARING REPORTS

PERSONNEL

03.1232

PERSONNEL

- CERTIFIED PERSONNEL -

03.1232

Sick Leave

NUMBER OF DAYS

Employees shall be entitled to paid sick leave on the following basis:

185-204 days employment	10 sick leave days
205-224 days employment	11 sick leave days
225+ days employment	12 sick leave days

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half (1/2) day. Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

NOTIFICATION AND STATEMENT

A certified employee qualifying for sick leave under this policy shall immediately so indicate via the District's Frontline's Absence Management (formerly known as AESOP), or such other electronic notification system designated by the Superintendent.

Upon return to work a certified employee claiming sick leave must file a personal statement, in such format as required by the Superintendent, or a certificate of a physician stating that the employee was ill, that the employee was absent for the purpose of attending to a member of the immediate family who was ill, or for the purpose of mourning a member of his or her immediate family.¹

TRANSFER OF SICK LEAVE

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

Sick Leave

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, certified and classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days, unless employment is terminated.

Certified employees are eligible to apply for donated days, not to exceed thirty (30) work days per request, with verified documentation if they meet the criteria established in statute and may reapply for donated sick leave with additional qualifying events. Employees shall be ineligible to make donation requests for purposes of maternity except in cases involving complications.

Upon return to work from the qualifying event and/or on or before June 30 of the current fiscal year, any unused donated sick leave shall be returned on a proportionate/pro-rated basis to employees who donated days.

REINSTATEMENT

Certified employees who resign or whose employment is terminated because of inadequate program funding shall have their unused sick leave reinstated, provided they are reemployed by the District within two (2) calendar years of the effective date or resignation or termination.

REPORTING

For the fiscal year ending June 30, 2025, and each fiscal year thereafter, the District shall annually report to the TRS the sick leave balances for each teacher and employee who is a member of the TRS.

The District shall file with the TRS information regarding their sick leave policies and provisions that are applicable to members of the system.

These reports shall include requirements set forth in KRS 161.155.

REFERENCES:

- ¹KRS 161.155; KRS 161.152; OAG 79-148
- OAG 93-39
- Family & Medical Leave Act of 1993
- Young v. Bd. Of Educ. Of Graves County*, 661 S.W. 2d 787 (Ky. App., 1983)

RELATED POLICIES:

- 03.12322; 03.1233; 03.124 (Workers' Compensation)
- 03.175 (Retirement Compensation)

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LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING DISTRICTS, ON OR BEFORE JULY 1, 2030, TO ESTABLISH A POLICY THAT PROVIDES UP TO THIRTY (30) PAID MATERNITY LEAVE DAYS TO EACH TEACHER OR EMPLOYEE WHO GIVES BIRTH. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY EFFECTIVE.
FINANCIAL IMPLICATIONS: TEACHER DAILY WAGE FOR MATERNITY LEAVE

PERSONNEL

03.1233

DO NOT
Adopt. Keep
Current policy

PERSONNEL

- CERTIFIED PERSONNEL -

03.1233

Parental Maternity Leave Options

PAID MATERNITY LEAVE (KRS 161.155)

The District shall provide up to thirty (30) paid maternity leave days for a teacher or employee who gives birth to a child. The maternity leave days shall be used without deduction of salary and shall be used prior to the teacher or employee using any other leave. Any maternity leave days unused by the teacher or employee shall not transfer into sick leave or be converted to any other leave type and shall expire upon return to work. This shall not limit the District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

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PAID SICK LEAVE

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement. If holidays and/or breaks occur (winter, spring, summer, fall) during the six-week period after the birth, such holidays or breaks will not extend the six-week period for a teacher to use sick leave. Additional sick leave days may be used when the need is verified with a doctor's note.

An employee shall not be eligible to make Sick Leave Bank requests or Donated Requests for purposes of maternity except in cases involving complications.

UNPAID MATERNITY LEAVE (KRS 161.770)

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence for the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended for an additional one (1) school year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

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

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

PERSONNEL

03.1233
(CONTINUED)

Parental Maternity Leave Options

REFERENCES:

KRS 161.155; KRS 161.770
OAG 80-151; OAG 84-43; OAG 86-66
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12321; 03.12322

LEGAL: SB 207 AMENDS KRS 156.460 REGARDING CONFLICT OF INTEREST AND THE PROCESS FOR PURCHASING INSTRUCTIONAL MATERIALS. THIS CHANGE ADDS EXISTING STATUTORY LANGUAGE BUT WITH THE NEW TERM, INSTRUCTIONAL MATERIALS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1721

Conflict of Interests

PECUNIARY INTEREST PROHIBITED

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.¹

No administrator or other employee shall solicit for personal financial remuneration from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted/developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through use of confidential information gained in the course of or by reason of their position of employment with the District.

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

A superintendent, teacher, or other official or employee of any institution supported wholly or in part by public funds shall not act, directly or indirectly, as agent for any person whose instructional materials are identified on the state-approved list.²

EXCEPTION

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

REFERENCES:

- ¹KRS 156.480
- ²KRS 156.460
- KRS 45A.455
- OAG 77-228
- OAG 71-474

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LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING DISTRICTS PAY TO TEACHER RETIREMENT SYSTEM (TRS) THE ACTUARIAL COSTS OF SICK LEAVE FOR FUTURE SICK LEAVE ACCRUALS IN EXCESS OF THIRTEEN (13) DAYS EACH YEAR. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.
FINANCIAL IMPLICATIONS: ACTUARIAL COSTS FOR SICK LEAVE DAYS OVER THIRTEEN (13)

PERSONNEL

03.175

Retirement

DEFINITION

Retirement means retirement as determined by Teachers' Retirement System (TRS) guidelines.

NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement.

RESPONSIBILITY

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

UNUSED SICK DAYS

The Board shall compensate certified employees only upon initial retirement, or their estate, for each unused sick day at the rate of 30% of the daily salary. This calculation is based on the employee's last annual salary. For personnel who become members of the Teachers' Retirement System on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.¹

The District shall provide compensation for unused sick leave days when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the Teachers' Retirement System. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

UNUSED SICK DAYS AND ACTUARIAL COSTS

Actuarial costs to TRS for the inclusion of payment for unused sick leave days that are eligible for compensation shall be funded as follows:

1. The state shall pay actuarial costs for the compensation attributable to the actual unused sick leave accrued as of June 30, 2025, plus annual adjustments to the sick leave balance of each fiscal year thereafter, based upon the sick leave accrued or used by the teacher or employee, not exceed thirteen (13) additional days per year. Unused sick leave payable by the state shall not include any annual leave described in KRS 161.540(1)(f) or the cost of unused sick days for employees retiring from agencies listed in KRS 161.220 (4)(d) and (f).
2. The last employer who is compensating the unused sick day shall pay the actuarial costs of compensation for unused sick leave days not paid by the state (as described above). Upon the teacher's or employee's retirement, the TRS shall bill the last employer for the cost of the unused sick days, and the employer shall pay the costs within fifteen (15) days after receiving notification of the cost from the system.
3. The actuarial costs of the unused sick days shall be the amount payable for unused sick days after the fixed statutory employee and employer contributions have been paid as provided in KRS 161.540 and 161.550(1) and that is necessary to fund the benefit.

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Retirement

ESCROW ACCOUNT

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

REFERENCES:

- ¹KRS 161.155
- KRS 157.420; KRS 161.220
- KRS 161.540; KRS 161.545
- KRS 161.550; KRS 161.560; KRS 161.600
- KRS 161.633; KRS 161.635
- OAG 81-1; OAG 83-191; OAG 97-28
- 29 U.S.C. 631

RELATED POLICY:

03.1232

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LEGAL: HB 48 AMENDS KRS 156.557 INCREASING THE TIME PERIOD BETWEEN MANDATORY
SUMMATIVE EVALUATIONS FOR TENURED STAFF AND PROVIDING THAT ADDITIONAL
SUMMATIVE EVALUATIONS MAY BE PERFORMED AT THE DISCRETION OF THE INDIVIDUAL'S
IMMEDIATE SUPERVISOR.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.18

PERSONNEL

-CERTIFIED PERSONNEL-

03.18

Evaluation

DEVELOPMENT OF SYSTEM

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education a personnel evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The District's certified evaluation plan shall be aligned with the Kentucky Framework for Personnel Evaluation.¹

PURPOSE

The purpose of the personnel evaluation system shall be to: support and improve performance of all certified school personnel and to inform individual personnel decisions. The District certified evaluation plan for certified personnel assigned to the District level for purposes of evaluation shall be specific to the evaluatee's job category.

FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for certified employees below the level of superintendent who have not attained continuing service status. Summative evaluations shall occur at least once every ~~five (5)~~ ~~three (3)~~ years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators. Additional summative evaluations may be performed at the discretion of the immediate supervisor of a teacher or other professional based upon a case-by-case analysis of the professional criteria set forth in KRS 156.557 but shall not be imposed as a uniform requirement across the system.

REPORTING

Results of evaluations shall not be included in the accountability system under KRS 158.6455.

NOTIFICATION

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel no later than the end of the evaluatee's first thirty (30) calendar days of the school year as provided in regulation.

CONFIDENTIALITY

Evaluation data on individual classroom teachers shall not be disclosed under the Kentucky Open Records Act.

REVIEW

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to submit a written response to be included in the certified employee's personnel record. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.²

APPEAL PANEL

The District shall establish a panel to hear appeals from summative evaluations as required by law.¹

Evaluation

ELECTION

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

TERMS

All terms of panel members and alternates shall be for one (1) year and run from July 1 to June 30. Members may be reappointed or reelected.

CHAIRPERSON

The chairperson of the panel shall be elected by the appeals panel.

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within ten (10) working days of the receipt of the summative evaluation. Both the evaluator and the evaluatee shall be given the opportunity, at least five (5) days in advance of the hearing to review documents that are to be presented to the District evaluation appeals panel, and may have representation of their choosing.

APPEAL FORM

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICTS OF INTEREST

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, husband, wife, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

BURDEN OF PROOF

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

HEARING

The panel may hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearings.

Evaluation**PANEL DECISION**

The panel shall deliver its decision to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within twenty-five (25) working days from the date an appeal is filed.

REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN

If a revision adding or removing a source of evidence or changing a decision rule or calculation in the summative rating formula in the District's certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Board. If the Board determines that changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision. The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

REFERENCES:

- ¹KRS 156.557; 704 KAR 3:370
- 703 KAR 5:225
- OAG 92-135; Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

- ²02.14; 03.15; 03.16

LEGAL: HB 48 AMENDS KRS 156.095 REQUIRING DISTRICTS TO IMPLEMENT A FOUR (4) YEAR RECURRING PROFESSIONAL DEVELOPMENT TRAINING SCHEDULE THAT INCLUDES ALL REQUIRED PROFESSIONAL DEVELOPMENT TRAININGS, AND THAT ALL CERTIFIED SCHOOL EMPLOYEES COMPLETE DESIGNATED TRAININGS WITHIN TWELVE (12) MONTHS OF INITIAL HIRE AND AT LEAST ONCE EVERY FOUR (4) YEARS THEREAFTER. THE KENTUCKY DEPARTMENT OF EDUCATION SHALL CREATE THE TRAINING SCHEDULE BY AUGUST 1, 2025.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19

Professional Development

PROGRAM TO BE PROVIDED

The Kentucky Department of Education (KDE) shall establish, direct and maintain a statewide program of professional development (PD) to improve instruction in the schools. The KDE shall create a four (4) year recurring PD training schedule that includes all PD for certified staff. The District shall implement the PD training schedule created by the KDE. The Board shall provide a high quality, personalized, and evidence-based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

All certified employees shall complete at least one (1) hour of each of the following trainings within twelve (12) months of initial hire and at least once every four (4) years thereafter:

- a. How to respond to an active shooter situation training prepared by the Department of Criminal Justice Training in collaboration with the Kentucky Department of Education, the Kentucky Law Enforcement Council, and the Center for School Safety;
- b. Child abuse and neglect prevention, recognition, and reporting training from the list of trainings approved by the KDE;
- c. Suicide prevention training:
 1. High-quality, evidence-based suicide prevention training, including risk factors, warning signs, protective factors, response procedures, referral, postvention, and the recognition of signs and symptoms of possible mental illness.
Postvention means a series of planned supports and interventions with persons affected by a suicide for the purpose of facilitating the grieving or adjustment process, stabilizing the environment, reducing the risk of negative behaviors, and limiting the risk of further suicides through contagion; and
- d. Self-study review of seizure disorder materials.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

The program shall be based on a Board-approved PD plan for the District, which is designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans. Programs may also include classified staff and parent members of school councils and committees.

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Professional Development**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.~~

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SCHOOL RESPONSIBILITIES

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review and comment.

DOCUMENTATION

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation. Based on the employee's hire date, the PD requirement may be prorated.

REFERENCES:

KRS 156.095; KRS 156.492; KRS 156.553
KRS 158.070; KRS 158.645; KRS 158.6451
KRS 160.345
704 KAR 3:035; 704 KAR 3:325
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1911; 09.22

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.21

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

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

EFFECTIVE DATE

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

QUALIFICATIONS

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma. Licenses or credentials issued by a government entity that require specialized skill or training may substitute for this requirement. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

All paraprofessionals shall satisfy educational requirements specified by federal law.⁴

CRIMINAL BACKGROUND CHECK AND TESTING AND PROBATIONARY EMPLOYMENT

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

Each application form provided by the employer to an applicant for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES."

Employment shall be contingent on receipt of records documenting that the individual has not been convicted of an offense that would classify a person as a violent offender under KRS 439.3401, a sex crime defined by KRS 17.500 or a misdemeanor offense under KRS Chapter 510, is required to register as a sex offender, or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING AND PROBATIONARY EMPLOYMENT (CONT.)

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

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

Alcohol and drug convictions and pending charges, within five (5) years of application, shall disqualify applicants. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender or, if within ninety (90) days of employment, the employee receives an unsatisfactory review by his/her immediate supervisor, the Superintendent, or Superintendent’s designee.

~~The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.~~

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Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

JOB REGISTER

The Superintendent or the Superintendent’s designee shall maintain in the Central Office an online job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted online for public viewing. Postings of vacancies may be made with other agencies, as appropriate.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications for candidates not employed shall be retained for two (2) years and shall remain active for one (1) year.

Hiring

RELATIONSHIPS

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

A relative may be employed as a substitute for a certified or classified employee if the relative is not:

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

CONTRACT

All regular full-time and part-time classified personnel shall enter into annual written contracts with the District.

EMERGENCY HIRING

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

JOB DESCRIPTION

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

INTENT

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

Hiring

REFERENCES:

- ¹KRS 160.380
- ²702 KAR 5:080
- ³KRS 161.011
- ⁴P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. § 200.58; 45 C.F.R. § 1302.90
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 13B
KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580
KRS 156.070; KRS 160.345; KRS 160.390
KRS 335B.020; KRS 405.435
KRS 439.3401
KRS Chapter 510
OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Kentucky Local District Classification Plan; 13 KAR 3:030; 702 KAR 3:320
Records Retention Schedule, Public School District

RELATED POLICIES:

- 01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

LEGAL: 702 KAR 7:065 CLARIFIES THAT THE CARDIOPULMONARY RESUSCITATION COURSE PROVIDER MUST BE APPROVED BY KHSAA AND BE BASED UPON INDUSTRY STANDARDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2141

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

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency that is approved by the KHSAA and be based upon industry standards. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

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

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.1161

09.311

LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING DISTRICTS, ON OR BEFORE JULY 1, 2030, TO ESTABLISH A POLICY THAT PROVIDES UP TO THIRTY (30) PAID MATERNITY LEAVE DAYS TO EACH TEACHER OR EMPLOYEE WHO GIVES BIRTH. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY EFFECTIVE.
FINANCIAL IMPLICATIONS: TEACHER DAILY WAGE FOR MATERNITY LEAVE

PERSONNEL

03.2233



DO NOT Adopt.
Keep current
policy

- CLASSIFIED PERSONNEL -

Parental Maternity Leave Options

PAID MATERNITY LEAVE (KRS 161.155)

The District shall provide up to thirty (30) paid maternity leave days for a teacher or employee who gives birth to a child. The maternity leave days shall be used without deduction of salary and shall be used prior to the teacher or employee using any other leave. Any maternity leave days unused by the teacher or employee shall not transfer into sick leave or be converted to any other leave type and shall expire upon return to work. This shall not limit the District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

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PAID SICK LEAVE

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement. If holidays and/or breaks occur (winter, spring, summer, fall) during the six-week period after the birth, such holidays or breaks will not extend the six-week period to use sick leave. Additional sick leave days may be used when the need is verified with a doctor's note.

An employee shall not be eligible to make Sick Leave Bank requests or Donated Requests for purposes of maternity except in cases involving complications.

UNPAID MATERNITY LEAVE (KRS 161.770)

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence for the remainder of the school year in which the birth or placement occurs. Thereafter, leave may be extended for an additional one (1) school year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

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

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

REFERENCES:

[KRS 161.155; KRS 161.770](#)

Family & Medical Leave Act of 1993

PERSONNEL

03.2233
(CONTINUED)

Parental Maternity Leave Options

RELATED POLICIES:

03.223
03.2232
03.22321
03.22322