

LEGAL: SB 68 AMENDS KRS 158.4414 EXTENDING THE TIMEFRAME FOR DISTRICTS TO HAVE A  
SCHOOL RESOURCE OFFICER ON EACH CAMPUS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.31

**School Resource Officers (SROs)****DEFINITION**

"School Resource Officer" 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:

- (a)
  - 1. A sworn law enforcement officer; certified under KRS 15.380 to KRS 15.404;
  - 2. A special law enforcement officer appointed pursuant to KRS 61.902 and certified under KRS 15.380 to KRS 15.404; or
  - 3. A police officer appointed pursuant to KRS 158.471; 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
  - 3. Directly by a local Board of Education;

**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**

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.<sup>2</sup>

**GUARDIANS**

Beginning with the 2026-2027 school year, the Board, if unable to meet the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may in consultation with and approval by the State School Security Marshal, employ one (1) or more Guardians to provide safety and security measures for schools within the District. The use of Guardians shall not be used to replace the certified SRO, but only to provide safety and security resources until a certified SRO is available.

Beginning with the 2026-2027 school year, the Board that has met the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may employ one (1) or more Guardians to provide additional school safety and security measures within the District.<sup>2</sup>

**School Resource Officers (SROs)**

**REFERENCES:**

<sup>1</sup>KRS 158.441

<sup>2</sup>KRS 158.4414

KRS 158.471

KRS 15.380 to KRS 15.404; KRS 15.520

KRS 61.902; KRS 70.290

KRS 158.4415; KRS 158.4431

KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481

**RELATED POLICIES:**

02.311; 05.48; 09.4361

LEGAL: SB 48 AMENDS KRS 158.060 PROVIDING TEACHERS ACCESS TO A COPY OF HIS/HER  
EMPLOYMENT CONTRACT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.114

**Continuing Status**

**Probationary Period:** New 156 hires do not acquire continuing status until the beginning of the fifth (5<sup>th</sup>) 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 (5<sup>th</sup>) 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 shall apply.

Each teacher shall be provided access to a copy of his or her employment contract upon request.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.060  
KRS 156.800 to KRS 156.860  
KRS 161.720

**RELATED POLICIES:**

03.1  
03.112

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

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE, COMPENSATORY TIME AND LEAVE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1232

### **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
  - KRS 18A.145
  - KRS18A.990
  - KRS 156.838
  - 780 KAR 3:072
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**

Except for teachers and principals sick leave shall be used in increments of one-quarter (1/4) hours.

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 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 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

780 KAR 3:075

780 KAR 3:072

18A KRS 18A.197

**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.)

**Sick Leave**

**REFERENCES:**

KRS 18A.120  
KRS 18A.140  
KRS 18A.145  
KRS 18A.197  
KRS 18A.990  
KRS 156.090  
101 KAR 2:105  
780 KAR 3:072  
780 KAR 3:075  
780 KAR 3:160  
780 KAR 6:062  
780 KAR 6:065  
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, 03.1234, 03.124, 03.1241, 03.175

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

### **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 OCTE, the gift rule applies to all its employees, stationed in Frankfort and at Area Technology Centers (ATCs).

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.

### **RESTRICTIONS ON INSTRUCTIONAL MATERIALS**

Effective July 1, 2026, 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.<sup>1</sup>

**Ethics Guidelines**

**REFERENCES:**

<sup>1</sup>KRS 156.460  
KRS 11A.050; KRS 11A.020; KRS 11A.040; KRS 18A.145; KRS 156.838

**RELATED POLICIES:**

03.17, 03.1322

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**

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.

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.

Programs may also include classified staff and parent members of school councils and committees.

### **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 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.

### **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 may count towards the twenty-five (25) hours. (Additional details regarding certification may be found at [www.epsb.ky.gov](http://www.epsb.ky.gov))

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

Area Technology Center (ATC) 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.

**Professional Development****EMPLOYEE RESPONSIBILITY (CONTINUED)**

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) 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 set by the credentialing body. These hours can apply to the twenty-five (25) hour obligation on an hour-for-hour basis.
5. Regulations provide for the renewal of the five (5)-year Certificate for Career and Technical 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 ATC 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) 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.

**OTHER CERTIFIED STAFF**

Central 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
- Governmental Services Center (GSC)



**Professional Development**

**REFERENCES:**

KRS 158.645; KRS 158.6451; KRS 158.070  
780 KAR 3:140  
780 KAR 3:150  
16 KAR 7:020

**RELATED POLICIES:**

03.14  
03.1911  
03.1912

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

FISCAL MANAGEMENT

04.32

## **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 \$1,000

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 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 (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;

**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. Supply funds must be expended in the school year allocated. They do not carry forward.

**REFERENCE:**

780 KAR 7:060

**RELATED POLICIES:**

04.7

05.6

LEGAL: HB 190 AMENDS KRS 158.6453 DEFINING ADVANCED COURSEWORK OFFERING FOR STUDENTS IN GRADES FOUR (4) THROUGH TWELVE (12), REQUIRING A DISTRICT PLAN, A SCHOOL POLICY, AND ESTABLISHING REPORTING REQUIREMENTS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1122

CURRICULUM AND INSTRUCTION  
LEGAL: 704 KAR 3:306 HAS BEEN RECODIFIED.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

08.1122

CURRICULUM AND INSTRUCTION

08.113

## **Program Completion**

### **HIGH SCHOOL CREDIT**

The Area Technology Center (ATC) 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.

### **SENIOR PLAN**

A senior plan will allow and encourage high school seniors to attend an ATC 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.

**Program Completion**

**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 7:125; 704 KAR 3:305; 705 KAR 4:231

**RELATED POLICIES:**

08.1131; 08.14; 08.222; 08.4



LEGAL: SB 181 AMENDS KRS 161.120 PROVIDING AGE-APPROPRIATE INSTRUCTION ON CHILD SEXUAL ABUSE THROUGH CURRICULUM OR PROGRAMS AND REMOVES “WRITTEN” FROM REQUIRED NOTIFICATIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.13531

### **Human Sexuality**

Per KRS 158.1415, in Area Technology Centers (ATCs) 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 ATC 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.

### **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 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 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;
- b) Providing age-appropriate instruction on child sexual abuse through curriculum or programs in accordance with the standards set forth by the National Children's Alliance and approved by the Children's Advocacy Centers of Kentucky, regardless of grade level; or
- c) 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; 08.2324

LEGAL: SB 207 AMENDS KRS 156.433 USING INSTRUCTIONAL “MATERIALS” INSTEAD OF INSTRUCTIONAL “RESOURCES”, EFFECTIVE JULY 1, 2026.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.232

**Instructional Materials**

Textbooks and other instructional materials for secondary career and technical education programs in area technology centers are provided under the guidelines for local school districts.<sup>1</sup> 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, School - Textbook Assignment Sheet*)

**REFERENCES:**

<sup>1</sup>704 KAR 3:455

**RELATED POLICY:**

09.15

**THIS POLICY CONTAINS KDE OFFICE OF EDUCATION TECHNOLOGY RECOMMENDED LANGUAGE**  
LEGAL: HB 208 AMENDS KRS 156.675 INCLUDING SOCIAL MEDIA IN PROHIBITED MATERIAL TO BE MADE INACCESSIBLE THROUGH SCHOOL TECHNOLOGY UNLESS AUTHORIZED BY A TEACHER FOR INSTRUCTIONAL PURPOSES. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.

LEGAL: SB 181 CREATES A NEW SECTION OF KRS 160 DIRECTING EACH BOARD TO DESIGNATE ONE OR MORE PROGRAMS OR APPLICATIONS AS A TRACEABLE COMMUNICATION SYSTEM THAT SHALL BE THE EXCLUSIVE MEANS FOR SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS TO COMMUNICATE ELECTRONICALLY WITH STUDENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2323

## **Use of Technology**

(Acceptable/Responsible Use Policy (AUP/RUP))

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/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 rules must be followed. (*See procedures: 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 with a written request.

**Use of Technology**

(Acceptable/Responsible Use Policy (AUP/RUP))

**PERMISSION/AGREEMENT FORM**

All applicable procedures and guidelines resulting from this AUP/RUP shall be readily available and for use by students, parents/guardians, faculty, staff and other to whom access is granted. A written parental or legal guardian request shall be required to opt-out of or rescind access to electronic media involving District technological resources. A written parental request may be required prior to the student being granted independent access to electronic media involving District technological resources. The parental request shall be kept on file as a legal, binding document.

The required permission/agreement materials, which shall specify acceptable uses, rules of online behavior, access privileges, and penalties for policy/procedural violations, must be acknowledged by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. In order to opt-out, modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

**DISREGARD OF RULES**

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 or termination, as appropriate.

**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.

**EMPLOYEE USE**

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own authentication credentials.

Employees shall not use their school email or other District technology resources for personal use. These resources are to promote student learning and to communicate with students and parents/legal guardians.



**Use of Technology**

(Acceptable/Responsible Use Policy (AUP/RUP))

**EMPLOYEE USE (CONTINUED)**

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

In accordance with KRS 160.145, the Board shall designate a traceable communication system to be the exclusive means for District employees and volunteers to communicate electronically with students. The Principal of each school shall provide parents written or electronic notification within the first ten (10) days of the school year of each electronic school notification and communication program designated within the traceable communication system. The notification shall include instructions for parents to access and review communications sent through each electronic school notification and communication program. See policy 08.2324 for complete details and guidelines.

A District employee or volunteer, unless authorized, shall not communicate electronically with a student:

1. Outside of the traceable communication system designated by the Board; or
2. Through an unauthorized electronic communication program or application.

This shall not restrict any electronic communications between a student and his or her family member who is a District employee or volunteer. "Family member" means a parent, brother, sister, son, daughter, aunt, uncle, or grandparent.

**EMPLOYEE CONDUCT AND REPORTING REQUIREMENTS FOR TECHNOLOGY USE**

All employees and volunteers are subject to disciplinary action if their conduct relating to the use of technology or online resources violates this policy or any other applicable statutory, regulatory or policy provisions governing employee conduct. This includes, but is not limited to, unauthorized electronic communications.

The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and the confidentiality of student information. Any conduct in violation of this Code must be reported to the Education Professional Standards Board (EPSB) as required by law and may result in disciplinary action up to and including termination.

**Use of Technology**

(Acceptable/Responsible Use Policy (AUP/RUP))

**REPORTING PROCEDURES – POLICY 08.2324**

A District employee or volunteer who receives a report alleging that another District employee or volunteer has engaged in unauthorized electronic communication must immediately notify the appropriate authority:

1. If the subject of the report is a staff member, notify the Principal.
2. If the subject is the Principal, notify the Superintendent.
3. If the subject is the Superintendent, notify the Commissioner of Education and the Chair of the local Board.

**Use of Technology**

(Acceptable/Responsible Use Policy (AUP/RUP))

**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/designee shall establish a process to determine whether Kentucky TECH education technology is being used for purposes prohibited by law or for accessing social media (unless authorized by a teacher for instructional purposes). The principal shall also establish a process to determine whether Kentucky TECH education technology is being used 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. Utilizing the latest available filtering technology to ensure that social media is not made available to students, unless authorized by a teacher for instructional purposes;
3. Maintaining and securing a usage log; and
4. 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.

**REFERENCES:**

KRS 156.675; KRS 365.732; KRS 365.734  
701 KAR 5:120; 16 KAR 1:020 (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; 03.13216 03.17; 08.1353; 08.2322; 08.2324  
09.14; 09.421; 09.422; 09.426; 09.4261  
10.5

LEGAL: HB 684 AMENDS KRS 158.070 ESTABLISHING THAT SCHOOL DISTRICTS ARE NOT REQUIRED TO CLOSE IF SCHOOL BUILDINGS ARE USED AS VOTING PLACES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.3

### **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 and be consistent with the calendar(s) of the cooperating school district(s). The 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 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 voting place pursuant to KRS 117.065, the school District may be closed on the days of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. All schools shall be closed on Presidential Election Day. The county board of elections shall notify the District of the expected date, time and buildings to be used as voting places no later than December 1 prior to the election.

#### **REFERENCES:**

KRS 2.190  
KRS 118.035  
KRS 157.360; KRS 158.070  
780 KAR 3:080

LEGAL: HB 5 (2024) AMENDED KRS 158.155 AND REPEALED KRS 158.154. REPORTING REQUIREMENTS  
STILL EXIST IN THIS AND OTHER POLICIES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2211

**Employee Reports of Criminal Activity**

To promote the safety and well-being of students, employees shall make state law required reports in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

**KRS 158.155**

Any school employee who knows or has reasonable cause to believe that a person has made threats or plans of violence which are intended to target a school or students or who knows that a firearm is present on school property in violation of KRS 527.070 shall immediately cause a report to be made to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.

Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving:

- a. Assault resulting in serious injury;
- b. A sexual offense;
- c. Kidnapping;
- d. Assault with the use of a weapon;
- e. Possession of a firearm or deadly weapon in violation of the law;
- f. The use, possession, or sale of a controlled substance in violation of the law; or
- g. Damage to property.

Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.

**Employee Reports of Criminal Activity****KRS 158.156**

Any employee of a school who knows or has reasonable cause to believe that a student 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 at the time the student 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 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.

**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 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.

**REFERENCES:**

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; 03.23251; 03.13253; 03.23253  
05.48  
09.227; 09.422; 09.423; 09.425; 09.426; 09.438



RECOMMENDED: THE KENTUCKY DEPARTMENT OF EDUCATION MEDICATION ADMINISTRATION TRAINING MANUAL FOR NON-LICENSED SCHOOL PERSONNEL (2025) RECOMMENDS OVER THE COUNTER MEDICATIONS NOT BE ADMINISTERED IN THE SCHOOL SETTING WITHOUT BOTH A MEDICAL PRACTITIONER'S ORDER AND SIGNED PARENTAL CONSENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2241

### **Student Medication**

Non-licensed school personnel, who provide medication administration, including emergency medications and administration or assisting with the self-administration of insulin subcutaneously to students in a school setting must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160.

School personnel shall not dispense medication of any type. However, antiseptic and appropriate other emergency medications shall be maintained in each first-aid kit.

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.<sup>1</sup> 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.

#### **PRESCRIPTION MEDICATIONS**

Parents/guardians and health care providers shall complete the required forms before any person administers prescription medication to a student or before a student self-medicates. Authorization forms are only valid for one school year or until treatment changes. A new authorization for medication administration must be completed if there is a change in medication, dosage, time and/or frequency, and a new prescription bottle (or medication label, if applicable) from the pharmacy indicating the prescription change should be provided.

Prescription medications shall be administered only as prescribed on the physician/health care provider's written authorization. If there is a discrepancy between the information on the parent/guardian authorization form and the prescription label, then, either, a new authorization form must be completed by the parent/guardian, or a new prescription bottle or label issued by the dispensing pharmacy. Prescription medications shall be sent to school in one (1) week increments unless otherwise approved by the Principal or designee. Prescription medications shall not be given beyond the date specified on the authorization form or beyond the expiration date on the label. Parent/guardian shall have the ultimate responsibility to provide the school with an adequate supply of medication to enable the orders to be followed.

All prescription medication, original or refill, should be sent to school in a pharmacy labeled container that includes the student's name, date dispensed, medication, dosage, strength, date of expiration, and directions for use including frequency, duration, and route of administration, prescriber's name, and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been prescribed, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

Changes in the dosage and/or times of administration must be received in the form of a written order from the physician/health care provider OR a new prescription bottle from the pharmacy indicating the change and a note from the student's parent/guardian.

**Student Medication****NONPRESCRIPTION MEDICATIONS**

Over the counter (OTC) medications should not be administered in a school setting without a medical practitioner's order as well as signed parental consent. OTC medications are permitted to be administered when part of standing orders or protocols are signed by a qualified health care provider or medically approved guidelines to supply the non-prescription medication.

**SELF-ADMINISTRATION**

Student self-administration is allowed in certain situations with a written health care provider's authorization which permits a student to responsibly carry self-administered medication. The authorization form must be completed by the parent/guardian and health care provider and be on file in the student's school. The authorization must be renewed each school year and the health care provider shall include the following information:

- The student is capable of administering the prescribed medication;
- The name and purpose of the medication;
- The prescribed dosage of the medication;
- The times in which, or circumstances under which, the medication may be given; and
- The period of time for which the medication is prescribed.

The parent/guardian shall be notified if the student uses the medication inappropriately or more often than prescribed.

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.<sup>2</sup>

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.<sup>3</sup>

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 medication with another student. Violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

**Student Medication**

**REFERENCES:**

<sup>1</sup>OAG 73-768

<sup>2</sup>KRS 158.834; KRS 158.838

<sup>3</sup>KRS 158.836

KRS 156.502; KRS 158.832; KRS 218A.210

702 KAR 1:160

Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973

Kentucky Board of Nursing Advisory Opinion Statement #16 Roles of Nurses in the  
Administration of Medication Via Various Routes (2023)

Kentucky Department of Education Medication Administration Training Manual for Non-  
Licensed School Personnel (2025)

OAG 77-530

OAG 83-115

**RELATED POLICIES:**

09.22; 09.224

LEGAL: HB 48 CREATES NEW SECTION OF KRS 158 REGARDING THE DISPLAY OF DESIGNATED HOTLINE INFORMATION

LEGAL: HB 48 AMENDS KRS 156.095 ESTABLISHING CHILD ABUSE TRAINING REQUIREMENTS FOR CERTIFIED PERSONNEL. THE TRAINING REQUIREMENTS CAN BE FOUND IN POLICY 03.19.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

## **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 neglected<sup>1</sup>, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral or written report, including but not limited to electronic submission, 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.<sup>2</sup>

After making that report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Associate Commissioner of Career and Technical Education/designee.

Upon notification, the 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 representative as to whether to contact a parent<sup>3</sup> and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.<sup>4</sup>

**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, or any Assistant Principal of the school in which the child is enrolled, and the 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.

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.

**OTHER**

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services, and the Safe Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby Boxes national organization or any equivalent successor entity.

**REFERENCES:**

- <sup>1</sup>KRS 600.020
- <sup>2</sup>KRS 620.030; KRS 620.040
- <sup>3</sup>OAG 85-134; OAG 92-138
- <sup>4</sup>KRS 620.072
- KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580
- KRS 156.095; KRS 158.041; KRS 199.990; KRS 209.020; KRS 508.125
- KRS 620.050; KRS 620.146
- OAG 77-407; OAG 77-506; OAG 80-50; 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

LEGAL: HB 5 (2024) AMENDED KRS 158.155 REPEALING KRS 158.154. REPORTING REQUIREMENTS  
STILL EXIST IN THIS AND OTHER POLICIES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.421



**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.

Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving damage to property.

Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.

**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.<sup>2</sup>

**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.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.140 (Textbooks); KRS 405.025 (Willful Damage)

<sup>2</sup>KRS 158.150  
KRS 158.155;  
704 KAR 3:455

**RELATED POLICY:**

09.2211

LEGAL: SB 73 CREATES NEW SECTIONS OF KRS 158 AND KRS 531 CREATING THE CRIME OF SEXUAL EXTORTION AND ADDING REQUIREMENTS FOR SCHOOL BOARDS AND SCHOOL PERSONNEL REGARDING NOTIFICATION AND EDUCATION EFFORTS.  
FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH NOTICE AND POSTER REQUIREMENTS

STUDENTS

09.4221

## **Sexual Extortion**

### **DEFINITION**

A person is guilty of sexual extortion when he or she communicates, through any means, a threat to:

- (a) Injure the property or reputation of another person or commit violence against another person with the intent to coerce that person to:
  - 1. Engage in sexual conduct; or
  - 2. Produce, provide, or distribute any matter depicting that person engaging in sexual conduct or in a state of nudity or seminudity; or
- (b) Distribute any matter depicting another person engaged in sexual conduct or in a state of nudity or seminudity with the intent to coerce that person to:
  - 1. Engage in sexual conduct;
  - 2. Produce, provide, or distribute any matter depicting that person engaging in sexual conduct or in a state of nudity or seminudity;
  - 3. Provide the payment of money, property, services, or any other thing of value to the perpetrator; or
  - 4. Do any act or refrain from doing any act against his or her will.

Sexual extortion is a Class A misdemeanor unless:

- (a) The victim, as a result of the commission of the offense:
  - 1. Engages in sexual conduct;
  - 2. Produces, provides, or distributes any matter depicting himself or herself engaging in sexual conduct or in a state of nudity or seminudity;
  - 3. Provides the payment of money, property, services, or any other thing of value to the offender;
  - 4. Does any act or refrains from doing any act against his or her will; or
  - 5. Suffers serious physical injury;

In which case it is a Class D felony; or

- (b) 1. The person:
  - a. Was previously convicted of any sexual offense under KRS Chapter 510 or a sex crime as defined in KRS 17.500;
  - b. Occupied a position of special trust or a position of authority as those terms are defined in KRS 532.045 in relation to the victim;
  - c. Used or threatened the use of a deadly weapon or dangerous instrument against the victim during the commission of the offense; or
  - d. Is an adult and the victim is a minor, and there is greater than a four (4) year difference in age between them; or

**Sexual Extortion****DEFINITION (CONTINUED)**

2. The offense was committed during the course of a kidnapping as described in KRS 509.040;

In which case the person shall be charged one (1) level higher than the level otherwise specified in this subsection.

If the victim attempts suicide resulting in serious physical injury or dies by suicide within ninety (90) days of the commission of the offense as a proximate result of the trauma the victim experience during or following the commission of the offense, the person may be prosecuted for homicide under KRS Chapter 507 or assault under KRS Chapter 508.

This section does not apply to:

- (a) Images involving voluntary nudity or sexual conduct in public, commercial settings, or in a place where a person does not have a reasonable expectation of privacy;
- (b) Disclosures made in the public interest, including the reporting of unlawful conduct, or lawful and common practices of law enforcement, criminal reporting, corrections, legal proceedings, or medical treatment;
- (c) Disclosures of materials that constitute a matter of public concern; or
- (d) When acting in its capacity as a provider of those services, a:
  1. Broadband internet access service provider;
  2. Telecommunications service provider, an interconnected VoIP service provider, or a mobile service providers as defined in 47 U.S.C. sec. 153;
  3. Commercial mobile service providers as defined in 47 U.S.C. sec. 332; or
  4. Cable operator as defined in 47 U.S.C. sect. 522; or
- (e) An interactive computer service, as defined in 47 U.S.C. sec. 230, related to content provided by a user of the interactive computer service.<sup>1</sup>

**STUDENT AND PARENT NOTIFICATION**

The Superintendent shall require the Principal of each school to provide written notice of the “Definition” section of this policy to students in grades four (4) and above in an age-appropriate manner and to parents or guardians of all students within ten (10) days of the first instructional day of each school year.<sup>2</sup>

**SIGNAGE**

By August 1, 2025, the Board shall require each school with instructional spaces for students in grades six (6) through twelve (12) to display, in a prominent location in each school building, a legible printed sign in English and Spanish at least eight and one-half (8.5) inches by eleven (11) inches in size that shall contain:

**Sexual Extortion****SIGNAGE (CONTINUED)**

- a) An age-appropriate description of sexual extortion consistent with the “Definition” section of this policy;
- b) Contact information for state or local law enforcement for reporting or seeking assistance relating to sexual extortion;
- c) Contact information for federal law enforcement for reporting or seeking assistance relating to sexual extortion;
- d) Contact information for a national suicide prevention hotline; and
- e) The Uniform Resource Locator (URL), a Quick Response (QR) code, or similar resource to identify the website address for informational and support resources regarding sexual extortion provided by the National Center for Missing and Exploited Children or any federally funded successor entity.<sup>3</sup>

The Kentucky Department of Education shall publish recommendations for information to be included consistent with district signage requirements.

**REFERENCES:**

<sup>1</sup>KRS 531.125

<sup>2</sup>KRS 158.157

<sup>3</sup>KRS 158.158

KRS 17.500

KRS Chapter 507; KRS Chapter 508; KRS 509.040; KRS Chapter 510; KRS 532.045

47 U.S.C. sec. 153; 47 U.S.C. sec. 230; 47 U.S.C. sec. 332; 47 U.S.C. sec. 522

**RELATED POLICIES:**

08.2323

09.2211; 09.4; 09.42; 09.422; 09.425; 09.4261; 09.42811; 09.428111

DRAFT

LEGAL: REVISIONS TO 780 KAR 3:080 CHANGE REQUIREMENTS RELATED TO EXTENDED WORKING DAYS, PAY SCHEDULE, AND NON-TRADITIONAL INSTRUCTIONAL DAYS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121

## **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 to 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 Principal 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 request to be employed beyond the 190 workdays. To request extended employment, a teacher in an ATC shall submit a written request to the ATC Principal.

### **PAYCHECK**

Any teacher employed 190 working days shall 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. The rank change request cannot be processed without a copy of the new certificate.

### **ACCRUAL OF COMPENSATORY LEAVE**

1. An appointing authority shall comply with the 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>.

## **Salaries**

### **ACCUAL OF COMPENSATORY LEAVE (CONTINUED)**

2. A qualified 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.
3. 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.

Compensatory time shall be prior approved by the immediate supervisor. Compensatory time must be prior approved using the designated Compensatory Time Approval Form. The amount of 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 the 1.5 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 780 KAR 3:072.

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).

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 1.5 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:



## **Salaries**

### **ACCRUAL OF COMPENSATORY LEAVE (CONTINUED)**

- 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 1.5 compensation plan applicable to the non-exempt employee.

18A employees should refer to the current Employee Handbook for further information regarding compensatory leave time.

#### **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. If the employee’s annual leave balance exceeds the maximum that may be carried forward under 780 KAR 3:082.

- 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:
  - Exceed the number of normally prescribed hours of duty; and
  - Upon separation from state service, an employee shall be paid for all unused compensatory leave.
- **School Breaks (Christmas, Fall, Spring, and other District designated breaks – 156 Employees (780 KAR 3:080) –** With Principal approval, an 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.
- **School Breaks (Christmas, Fall, Spring, and other District designated breaks – 18A Employees**  
**With Principal approval, 18A Employees** may take leave during 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 or community 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, and can go up to 1.5 times the hourly rate. This type of industry or community program must be cost recovery.

**Salaries****DUAL EMPLOYMENT (CONTINUED)**

- 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.
- 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.

**REFERENCES:**

KRS 18A.005  
KRS 18A.120  
KRS 18A.145  
KRS 18A.355  
KRS 156.800  
KRS 156.808  
101 KAR 3:045  
780 KAR 3:020  
780 KAR 3:065  
780 KAR 3:072  
780 KAR 3:080  
780 KAR 3:160  
780 KAR 6:005  
780 KAR 6:010  
780 KAR 6:020  
780 KAR 6:062  
[Fair Labor Standards Act](#)

**RELATED POLICIES:**

03.11; 03.1211

DRAFT

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.122

## **Holidays and Annual Leave**

### **HOLIDAYS**

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

Kentucky state government observes 12.5 holidays per year (13.5 days in presidential election years.). Any employee required to work on a state holiday to serve students shall have their calendar adjusted to reflect a modification to their working days.

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

<b>HOLIDAY</b>	<b>DAY</b>	<b># OF DAYS</b>
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
Juneteenth	June 19	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. 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."

## **Holidays and Annual Leave**

### **HOLIDAYS (CONTINUED)**

**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;
- (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.

### **ANNUAL LEAVE – ELIGIBLE TO EARN**

- 18A employees should reference 101 KAR 2:102 or the current employee handbook.
- 156 employees should reference 780 KAR 3:072.

### **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 ATC Principal will provide supervision and assistance for the area center staff. The next level supervisor will provide assistance and supervision for the ATC Principal.

**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 18A employees.

### **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.

**Holidays and Annual Leave****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 accumulated annual leave and will not be paid this benefit.
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 holiday affects payment of the state paid portion.
- If an employee is unable to work and uses paid leave to qualify (as outlined above), paid leave days shall be used consecutively.

**REFERENCES:**

KRS 2.110  
KRS 2.190  
KRS 18A.190; KRS 18A.195; KRS 18A.203  
KRS 156.812  
101 KAR 2:102; 101 KAR 2:106  
780 KAR 3:072; 780 KAR 6:062; 780 KAR 3:080

**Holidays and Annual Leave**

**RELATED POLICIES:**

03.1232, 03.1332

DRAFT

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.123



## **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 leave without pay (LWOP), 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 five (5) 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; 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 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;

**Leaves and Absences****ABSENCE WITHOUT LEAVE (CONTINUED)**

- 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.

**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 3:072  
780 KAR 6:062  
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

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.12322

**Family and Medical Leave**

Eligible employees shall be granted leave in compliance with 780 KAR 6:062, 780 KAR 3:072, and the Family and Medical Leave Act (FMLA) of 1993.

**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.

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

- The reason for denial shall be given to the employee in writing.
- 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 3:072; 780 KAR 6:062  
OAG 17-022

**RELATED POLICIES:**

03.123, 03.1232, 03.1234, 03.1238, 03.124

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1236

**Emergency Leave**

Teachers and Principals shall be entitled to twenty-two and one-half (22.5) hours of emergency leave. Emergency leave shall be credited 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 (3) and three-quarter hour (3.75) increments when possible.

**REFERENCE:**

780 KAR 3:072

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1238



**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, personal leave, compensatory leave, or leave without pay. A copy of the orders shall be forwarded to the Personnel/Payroll Officer before leave is granted.

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 3:072  
780 KAR 6:062

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1239

**Voting and Election Leave**

State employees (18A), ~~except teachers and principals~~, 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.

All 18A employees, ~~except teachers and principals~~, are expected to take four (4) hours of voting leave. The ATC Principal, Supervisor and Associate Commissioner for the Office of Career and Technical Education must approve exceptions for Technical Education. The employee, with approval of the supervisor, can choose whether to take leave. Instructors and principals cannot earn compensatory time.

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, 18A employees may request and be approved for compensatory time for the 7.5 hour workday.

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 2:160  
780 KAR 6:062  
780 KAR 3:072

RECOMMENDED: THIS POLICY IS BEING RESCINDED SINCE THE STAFF AND STUDENT ACCEPTABLE USE POLICY WITH TRACEABLE COMMUNICATION LANGUAGE IS LOCATED IN POLICY 08.2323.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.13216

### **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. 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-mail, 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 gaming

**Employee Acceptable Use of Technology****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 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.

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 the 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:

1. Breaching, testing, or monitoring computer or network security measures
2. Circumventing user authentication or security or any host, network or account
3. 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.

**Employee Acceptable Use of Technology****SYSTEM AND NETWORKS (CONTINUED)**

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.

**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>

**Employee Acceptable Use of Technology**

**REFERENCES:**

KRS 11A.020  
KRS 61.870 to KRS 61.884  
KRS 434.840  
KRS 434.845  
KRS 434.850  
KRS 434.851  
KRS 434.853  
KRS 434.855  
KRS 434.860  
User ID and Password Policy (EDU-02)  
Use of State Materials and IT Resources

**RELATED POLICY:**

03.1321  
08.2323; 08.2324



LEGAL: REVISIONS TO 780 KAR 3:080 CHANGE REQUIREMENTS RELATED TO EXTENDED WORKING DAYS, PAY SCHEDULE, AND NON-TRADITIONAL INSTRUCTIONAL DAYS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1332

## **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.

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 will 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.

**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
- Program and teacher industry certification
- Updating of student records

**REFERENCES:**

780 KAR 3:072

780 KAR 6:062

**RELATED POLICIES:**

03.122

03.1232

03.126

05.42

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.17

## **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 shall comply with the reporting requirements of KRS 161.120 that applies to certified personnel.

**Termination/Nonrenewal/Separation by Employee****SEPARATION BY EMPLOYEE**

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

Certified or equivalent employees seeking to resign or terminate service with the state shall submit a written resignation or notice of retirement at least thirty (30) calendar days before the final working day.

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.

18A employees refer to KRS Chapter 18A and KAR Title 101.

**REFERENCES:**

16 KAR 1:020 (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 160.145; KRS 160.382; KRS 161.120;  
101 KAR 1:345; 780 KAR 3:100; 780 KAR 3:110  
780 KAR 3:120; 780 KAR 6:080; 780 KAR 6:090

**RELATED POLICIES:**

03.1311  
03.1313  
03.172  
03.173  
03.175  
08.2324

LEGAL: REVISIONS TO 780 KAR 3:072 CHANGE REQUIREMENTS RELATED TO ATTENDANCE,  
COMPENSATORY TIME AND LEAVE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1911



**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.

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