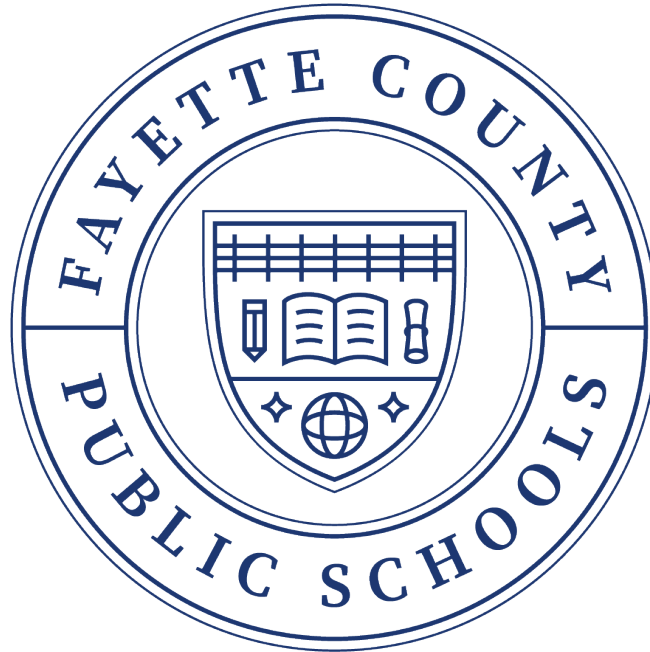

FAYETTE COUNTY PUBLIC SCHOOLS

EMPLOYEE
HANDBOOK



FAYETTE COUNTY PUBLIC SCHOOLS

Employee Handbook (revised June 2023)

Dr. Demetrus Liggins, Superintendent
John D. Price Administration Building
450 Park Place
Lexington KY 40511
Phone (859) 381-4100
www.fcps.net

As required by federal law, the district does not discriminate on the basis of race, color, national or ethnic origin, age, sex (including sexual orientation or gender identity), genetic information, or disability, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Table of Contents

Table of Contents _____	ii
Introduction _____	1
WELCOME _____	1
DISTRICT MISSION _____	2
FUTURE POLICY CHANGES _____	2
STAFF DIRECTORY _____	2
General Terms of Employment _____	3
EQUAL OPPORTUNITY EMPLOYMENT _____	3
HARASSMENT/DISCRIMINATION/TITLE IX SEXUAL HARASSMENT _____	3
HIRING _____	5
CRIMINAL BACKGROUND CHECK AND TESTING _____	5
CONTRACT STATUS _____	5
TRANSFER OF TENURE _____	7
DRIVING RECORD CHECKS AND REPORTS _____	7
EXPENSE REIMBURSEMENT _____	7
JOB RESPONSIBILITIES _____	8
CONFIDENTIALITY _____	8
INFORMATION SECURITY BREACH _____	9
HOURS OF DUTY _____	9
FLEXIBLE WORK DAYS _____	13
INCLEMENT WEATHER/OTHER EMERGENCIES _____	13
SUPERVISION RESPONSIBILITIES _____	13
BULLYING/HAZING _____	14
Benefits and Leave _____	15
SALARIES AND PAYROLL DISTRIBUTION _____	15
SALARY DEDUCTIONS _____	17
INSURANCE _____	18
COBRA _____	22
REDUCTION IN SALARY AND RESPONSIBILITY _____	24
HOLIDAYS AND VACATIONS _____	24
LEAVE POLICIES _____	24
PERSONAL LEAVE _____	25
SICK LEAVE _____	26
SICK LEAVE DONATION PROGRAM _____	27
SICK LEAVE BANK _____	27
FAMILY AND MEDICAL LEAVE _____	28
FML BASIC LEAVE ENTITLEMENT _____	30
QUARANTINE LEAVE _____	31

MATERNITY LEAVE	31
EXTENDED DISABILITY LEAVE	31
EMERGENCY LEAVE	32
JURY LEAVE	33
MILITARY/DISASTER SERVICES LEAVE	33
UNPAID LEAVE	33
EDUCATIONAL LEAVE	34
PROFESSIONAL LEAVE	34
EMPLOYEE ASSISTANCE PROGRAM (EAP)	35
ACCESS TO EMPLOYEE FORMS	35
Personnel Management	36
TRANSFER	36
PERSONNEL RECORDS	36
RETENTION OF RECORDINGS	36
EMPLOYEE INFORMATION	37
EMPLOYEE DISCIPLINE	37
EMPLOYEE SEPARATION	39
NONRENEWAL	39
RESIGNATION	40
REDUCTION IN FORCE	41
RETIREMENT	41
EVALUATIONS	43
TRAINING/IN-SERVICE	43
DISTRICT TRAINING	44
Employee Conduct	45
FCPS EMPLOYEE CODE OF CONDUCT	45
ABSENTEEISM/TARDINESS/SUBSTITUTES	46
HEALTH, SAFETY AND SECURITY	46
USE OF SCHOOL PROPERTY	47
USE OF PERSONAL CELLPHONES/TELECOMMUNICATION DEVICES	47
DELIVERY SYSTEMS AND BULLETIN BOARDS	48
GIFTS	48
SOLICITATIONS	48
POLITICAL ACTIVITIES	48
EMPLOYEE RELIGIOUS EXPRESSION	49
DISRUPTING THE EDUCATIONAL PROCESS	49
DRUG-FREE/ALCOHOL-FREE SCHOOLS	49
OUTSIDE EMPLOYMENT OR ACTIVITIES	50
STAFF MEETINGS	51
EMPLOYEE MEETINGS	51

TOBACCO, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT	51
GRIEVANCES	51
FRAUD PREVENTION	51
WEAPONS	52
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE FOR CDL/CLP OPERATORS	53
CONTROVERSIAL ISSUES	53
COPYRIGHTED MATERIALS	53
ACCEPTABLE USE OF TECHNOLOGY	53
PREVIEWING STUDENT MATERIALS	54
CHILD ABUSE	54
USE OF PHYSICAL RESTRAINT AND SECLUSION	55
AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)	55
ASSAULTS AND THREATS OF VIOLENCE	55
CIVILITY	55
REQUIRED REPORTS	56
CODE OF ETHICS FOR CERTIFIED SCHOOL PERSONNEL	59
RIGHTS AND RESPONSIBILITIES	60
Frequently Asked Questions	65
FLEXIBLE SCHEDULING - CLASSIFIED EMPLOYEES	65
Acknowledgement Form	67

Introduction

Welcome

Welcome to Fayette County Public Schools.

The purpose of the handbook is to acquaint you with general Board of Education policies that govern and affect your employment and to outline benefits available to you as an employee of the District.

This handbook is not an all-encompassing document and may not address issues resulting from unusual circumstances. It is your responsibility to refer to Board policies and/or administrative procedures or speak directly with your immediate supervisor for further assistance. If a conflict exists between this handbook and the Board policies and/or administrative procedures, the policies and procedures shall govern.

Complete copies of those documents are available electronically at www.fcps.net/policies as well as at It's About Kids Support Services (IAKSS) and in the Principal's and/or the Hiring Manager's office. Policies and procedures also are available on line via the District's website or through this internet address: <http://policy.ksba.org/F02/>.

Any employee is free to review official policies and procedures, and all employees are expected to be familiar with those related to their job responsibilities. Employees and students who fail to comply with Board policies may be subject to disciplinary action. **01.5**

You are expected to read this handbook and keep it for future reference. The *Acknowledgment of Receipt* on the last page of this handbook is verification that the employee has received a copy of this handbook. The signed copy of this form is to be filed with the Department of Human Resources each school year.

Anyone finding a handbook is requested to return it to:

Fayette County Public Schools
Department of Human Resources
450 Park Place
Lexington KY 40511

School council policies, which are also available from the Principal, may also apply in some instances. **02.4241**

In addition, some departments, offices, and schools also may have developed additional documents containing operating procedures that apply only to employees of those units.

In this handbook, **bolded policy codes** indicate related Board of Education policies. If an employee has questions, they should contact their immediate supervisor or Human Resources in It's About Kids Support Services (IAKSS).

District Mission

The mission of Fayette County Public Schools is to create a collaborative community that ensures all students achieve at high levels and graduate prepared to excel in a global society.

Future Policy Changes

The Fayette County Board of Education reserves the right, and has the sole discretion, to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as required by contractual agreements and law. The details in this handbook are subject to change as situations warrant. Changes in the policies may supersede, modify, or eliminate information in this handbook. Changes will be made in a timely fashion to the version posted at www.fcps.net/hr.

Staff Directory

The IAKSS online staff directory is at www.fcps.net/employee.

Section

1

General Terms of Employment

Equal Opportunity Employment

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

The Fayette County Board of Education is an Equal Opportunity Employer.

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex (including sexual orientation or gender identity), genetic information, national or ethnic origin, political affiliation, age or disabling condition or limitations related to pregnancy, childbirth, or related medical conditions.

Reasonable accommodation for individuals with disabilities or limitations related to pregnancy, childbirth, or related medical conditions will be provided as required by law.

If considerations of sex, age or disability have a bona fide relationship to the unique requirements of a particular job or if there are applicable statutory or federal or state regulatory requirements, then sex, age or disability may be taken into account as a bona fide occupational qualification, provided such consideration is consistent with governing law. **03.113/03.212**

If you have questions concerning District compliance with state and federal equal opportunity employment laws, contact *Human Resources* at the It's About Kids Support Services (IAKSS).

Harassment/Discrimination/Title IX Sexual Harassment

The Fayette County Board of Education intends that employees have a safe and orderly work environment in which to do their jobs. Therefore, the Board does not condone and will not tolerate harassment of or discrimination against employees, students, or visitors to the school or District, or any act prohibited by Board policy that disrupts the work place or the educational process and/or keeps employees from doing their jobs.

Any employee who believes that he or she, or any other employee, student, or visitor to the school or District, is being or has been subjected to harassment or discrimination shall bring the matter to the attention of his/her Principal/immediate supervisor or the District's Title IX/Equity Coordinator as required by Board policy. The District will investigate any such concerns promptly and confidentially.

No employee will be subject to any form of reprisal or retaliation for having made a good-faith complaint under this policy. **03.162/03.262**

For complete information concerning the District's position prohibiting harassment/discrimination, assistance in reporting and responding to alleged incidents, and examples of prohibited behaviors, employees should refer to the District's policies and related procedures and the [Confidentiality and Nondiscrimination Handbook](#) posted on the District website:

www.fcps.net/hr

The following have been designated to handle inquiries regarding nondiscrimination under Title IX and Section 504 of the Rehabilitation Act of 1973 and Title IX Sexual Harassment/Discrimination:

Title IX Coordinator (TIXC): Brandon Turnley/Alicia Miller

Address: 450 Park Place, Lexington, KY 40511
Office Email: brandon.turnley@fayette.kyschools.us
Office Email: alicia.miller@fayette.kyschools.us
Office Phone: 859-381-4223

504 Coordinator: Margaret Miracle Murphy

Address: 450 Park Place, Lexington, KY 40511
Office Email: margaret.miracle@fayette.kyschools.us
Office Phone: 859-381-4335

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the TIXC, or by any other means that results in the TIXC receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the TIXC. **09.428111**

Title IX Sexual Harassment Grievance Procedures are located on the District Website.

Employees wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

Hiring

Except for noncontracted substitute teachers and temporary workers, all personnel are required to sign a written contract with the District.

All full-time and part-time classified employees shall sign a written contract for a period of time not to exceed one (1) fiscal year.

A list of all District job openings is maintained at IAKSS and on the District website at www.fcps.net/jobs.

For further information on hiring, refer to policies **03.11/03.21**.

Criminal Background Check and Testing

Applicants, employees, and student teachers must undergo records checks and testing as required by law and Board policy.

New hires and student teachers assigned within the District must have both a state and a federal criminal history background check and a letter (CA/N check) from the Cabinet for Health and Family Services documenting the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

An employee shall report to the Superintendent if the Cabinet for Health and Family Services has substantiated an allegation of abuse or neglect of a child by said employee, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.1103.21**

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

Contract Status

Certified Employees: Certified employees shall earn tenure when the following criteria have been met:

1. The employee:
 - Holds a standard or college certificate as defined in KRS 161.720 or meets the certification standards for vocational education teachers established by the Education Professional Standards Board; and

GENERAL TERMS OF EMPLOYMENT

- Is reemployed by the Superintendent after teaching four (4) consecutive years in the District, or after teaching four (4) years which shall fall within a period not to exceed six (6) years in the District, the year of present employment included; and.
 - Worked a minimum of 140 days within each of those school years at a minimum of six (6) hours per day.
2. The employee has worked and earned tenure in another Kentucky district will regain tenure when:
- There is no break-in-service between leaving another Kentucky district and being hired by the District; and
 - The employee serves a one (1) year probationary year with the District; and
 - The employee is rehired for the following school year.

Employees not eligible for tenure include retirees and employees who hold non-traditional certificates (adjunct, emergency). **03.114**

Classified Employees: Classified personnel are all those employees who hold positions not requiring teacher certification. **03.2**

Classified employees shall earn four (4) year employment status when the following criteria have been met:

- Employees have four (4) or more years of continuous active service in the District and:
 - Have worked a minimum of 70% of their assigned work calendar and hired as .8 FTE or greater; and
 - Are rehired for employment within the 5th consecutive year during this time period; and
 - Remain a classified employee during this time.

Employees not eligible for four (4) year status include substitutes, part-time (less than .8 FTE), temporary workers, and independent contractors.

Transfer of Tenure

The continuing service contract status of a teacher shall not be terminated when the teacher leaves employment, all provisions of KRS 161.720 to KRS 161.810 to the contrary notwithstanding, and the continuing service contract status shall be transferred to the next school district, for a period of up to seven (7) months from the time employment in the first school district has terminated.

All teachers employed who have attained continuing contract status from another Kentucky district shall serve a one (1)-year probation period before being considered for continuing contract status in the school District, provided they are employed within seven (7) months following termination of employment with the previous district. Teachers who terminate their employment with the District after attaining continuing contract status and who are subsequently re-employed, shall also serve a one (1)-year probation period before being considered for continuing contract status, provided they are re-employed within seven (7) months following termination of employment with the District. **03.115**

Driving Record Checks and Reports

Employees who have occasion to drive any Board-owned vehicle and/or transport students are subject to an annual check of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students. In addition, those same employees are subject to requirements set out in Board Policy 06.221. **03.1321/03.2321/06.221**

Expense Reimbursement

School personnel are reimbursed for necessary and appropriate travel that is required as part of their duties or for school-related activities approved by the Superintendent/designee. Allowable expenses include approved travel in connection with official school duties and professional leave.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District. **03.125/03.225, 03.1911/03.2911**

Approval of and reimbursement of travel expenses shall be accomplished by the completion of the following forms, which are located on the District website under the [Staff Channel](https://www.fcps.net/staff) (<https://www.fcps.net/staff>):

- Request for Professional Leave
- Professional Leave Reimbursement
- Mileage Reimbursement

Job Responsibilities

Every employee is assigned an immediate supervisor. All employees receive a copy of their respective job descriptions and responsibilities for review. Immediate supervisors may assign other duties as needed. Employees should ask their supervisors if they have questions regarding their assigned duties and/or responsibilities. **03.132/03.232**

All employees are expected to use sound judgment in the performance of their duties and take reasonable and commonly accepted measures to protect the health, safety, and well-being of others, as well as District property. In addition, employees shall cooperate with investigations conducted by the District as authorized by policy or applicable law. **03.133/03.233**

Certified Employees: All teachers in the District shall review records of assigned students to determine whether an IEP or 504 plan is in place.

Confidentiality

In certain circumstances, employees will receive confidential information regarding students' or employees' medical, educational or court records. Employees are required to keep student and personnel information in the strictest confidence and are legally prohibited from passing confidential information along to any unauthorized individual. Employees with whom juvenile court information is shared as permitted by law shall be asked to sign a statement indicating they understand the information is to be held in strictest confidence.

Access to be Limited

District and school officials/staff may only access student record information in which they have a **legitimate educational interest. 09.14/09.43**

The Board will make every effort to respect and maintain the privacy of employees with reference to information concerning the medical condition of an employee and will only make such information available to individuals whom the Superintendent determines have an essential need for such information. **03.111/03.211**

Unless otherwise permitted by law, signed parental consent designating personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel. The Superintendent shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis. **09.213**

For additional guidance, please refer to the District's Confidentiality and Nondiscrimination Handbook.

Information Security Breach

Information security breaches shall be handled in accordance with KRS 61.931, KRS 61.932, and KRS 61.933 including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner. **01.61**

Hours of Duty

All employees are expected to be prompt in attendance and maintain working hours in keeping with the schedule established in compliance with Board policy.

Employees are not allowed to leave job assignments during duty hours without the express permission of their immediate supervisor.

Certified Employees: Each full-time teacher is provided with a duty-free lunch period each day during the regularly scheduled student lunch period.

Regular hours for certified employees currently are as follows:

- Teachers shall be on duty for a minimum of 7½ hours daily
- Administrators and twelve-month salaried classified employees shall be on duty for a minimum of 8 hours, based on a schedule prepared annually as directed by school policy or the immediate supervisor.

Staff development days, during which teachers will work at least 7½ hours, including a one-hour lunch, will be indicated on the instructional calendar. None of those days shall be flexible unless the Superintendent grants a specific exception based on a well-defined plan. Requests shall be submitted to the appropriate Director and forwarded to the Office of the Superintendent for approval. **03.1332**

Classified Employees: Hourly employees shall follow work schedules prepared by their immediate supervisor and approved by the appropriate manager.

Work Calendars

All classified employees can access their work calendar online at:

www.fcps.net/workcals

GENERAL TERMS OF EMPLOYMENT

Notwithstanding approved leave or flex-time, employees shall work all contracted work days. No deviations are to be made from the work calendar without recommendation of the supervisor and approval of the Superintendent or their designee. Classified hourly employees are not permitted to work from home without supervisor approval.

The minimum work day/week for a full-time classified employee within each job classification is as follows:

Technology	8 hours per day or 40 hours per week
Food service	6 hours per day or 30 hours per week
Warehouse	8 hours per day or 40 hours per week
Law Enforcement	8 hours per day or 40 hours per week
Maintenance	8 hours per day or 40 hours per week
Plant operation	8 hours per day or 40 hours per week
Secretarial/Clerical	7 hours per day or 35 hours per week
Paraeducator	7 hours per day or 35 hours per week
Transportation	6 hours per day or 30 hours per week

A combination of two (2) or more regular part-time classified positions from different job classifications totaling the highest number of hours for the full-time requirements of the classifications being combined shall be defined as full-time employment.

A regular classified work day may not be confirmed for more than eight (8) hours without prior written authorization by the Superintendent.**03.2332**

Work Week Designation

Each work week will be from 12:01 a.m. Saturday until midnight Friday.

Check-in and Check-Out Times

Time is calculated to the nearest one-quarter (1/4) hour. Employees are not to report for duty nor check in prior to the regular starting time, unless authorized by their supervisor, and employees shall go off duty and check out at the end of their regular schedule.

Lunch Break

Hourly employees who use the Daily Record Sheet are to check out and check in for the lunch break. Those employees who use a time clock are to punch out and punch in (when applicable) for lunch. Hourly employees are permitted to leave the premises during their scheduled lunch break.

The lunch break is to be 30 minutes or 1 hour to be determined by the building Principal or supervisor.

Part-time employees may or may not be scheduled for a lunch break as determined by the building Principal or supervisor and in accordance with KRS 337.355 and federal law. Scheduled lunch breaks must be for 30 minutes or 1 hour.

Rest Periods/Breaks

Per KRS 337.365, employee cannot be required to work without a rest period of at least 10 minutes during each 4 hours worked. The timing of the 10 minute break is at the discretion of the supervisor. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees.

Record of Time Worked

Each hourly employee who does not punch a time clock is required to keep a Daily Record Sheet of time on duty.

- The Daily Record Sheet is supplied by the Department of Financial Services. Employees are to record when they are on duty and the Daily Record Sheet shall be signed certifying the time worked. The record sheet shall be turned in to the immediate supervisor at the end of each reporting period.
- Where a time clock is available, the hourly employee shall use it instead of the Daily Record Sheet. Each employee is to punch his/her own time clock card. No one else is authorized to do so. No work is to be performed after the employee has punched out.

Supervisors may permit employees to make up short periods of time that occasionally may be lost for reasons such as doctor or dental appointments. Such time must be made up within the same work week.

Voluntary Work

The provisions of the Fair Labor Standards Act prohibit the performance of work-related activities on a voluntary basis by hourly paid employees. No hourly paid employee may "volunteer" as an unpaid worker for any job-related activity for the District. For additional information, please refer to **03.221 AP.11**.

Flexible Scheduling

Persons responsible for establishing work schedules include building principals, directors, managers and supervisors. In establishing a work schedule the supervisor should consider:

1. The need for and nature of services required
2. The date and time the service is required
3. The cost to his/her budget and to the District
4. The interests of the employee

An individual's work schedule can be altered at any time the supervisor determines the need for the alteration, provided approval of the Principal/ Department Head is received. The cost of rescheduling is borne by the school or department that supervises the affected employee.

Scheduling employees requires active management. Flexible scheduling can impact the scheduling of leave. The basic principle for scheduling leave is that the District does not pay twice for the same hour. An hour is either worked or it is leave. It is never both. Overtime is paid when an employee actually works more than 40 hours in a workweek.

Leave can never be added to hours worked to cause the total to exceed the normal workweek for the employee.

If an employee is scheduled to work on a Flexible day or holiday, the employee may reschedule the leave at a later time. The rescheduled leave must equal the number of hours/days worked that the District identified as an Flexible day or holiday. Holidays and Flexible days may be scheduled up to 6 months after the end of the current fiscal year.

Sometimes, the employee and the supervisor agree upon a flexible schedule over an extended period for the benefit of the employee and the District. The most often used example is a schedule of four, ten-hour days per week. During this period sick, emergency, personal and vacation as appropriate may be taken in the number of hours needed to report a full weeks schedule.

Holidays and Flexible days are a fixed number of hours. If a normal minimum workday is 8 hours then the employee can only use 8 hours for this leave. The same is true if the normal minimum workday is 7 hours. Holiday and Flexible days are then limited to 7 hours.

Other discretionary (personal or vacation) leave may be taken to make a full day.

For more information on flexible scheduling, please refer to the "Frequently Asked Questions" section.

Flexible Work Days

No administrator/salaried classified personnel employed for twelve (12) months may work more than five (5) flexible days in any school year. The flexible days accrued by those employees may not carry over to the new calendar year. **03.121 AP.1**

Inclement Weather/Other Emergencies

When school is postponed or closed because of weather emergencies or inclement weather, all school-related activities, including athletics and extracurricular activities also will be postponed or canceled. The Superintendent may make an exception when weather conditions create unsafe travel conditions for school, but become safe for travel to extracurricular and/or athletic activities.

Personnel who work on a 12-month basis shall work their normal hours on scheduled work days regardless of weather conditions unless the Superintendent declares an official emergency. The employee shall use available leave (emergency, personal, vacation) for officially called emergency days. Based upon the nature of the emergency, the Superintendent/designee may determine that some employees are required to report to work. All 12-month employees are responsible for conferring with their immediate supervisor regarding specific procedures to follow during inclement weather. Employees who work 10.5 months or less will not work on days that school is dismissed because of inclement weather. These days will be added to their work calendar. **06.21**

Supervision Responsibilities

While at school or during school-related or school-sponsored activities, students must be under the supervision of a qualified adult at all times. All District employees are required to assist in providing appropriate supervision and correction of students.

Students are not to be used for custodial work, unless it is part of an “alternative to suspension” program established by the Board or the SBDM Council.

All high school campuses in the District are closed campuses. Therefore, except for situations approved by the Principal, once high school students are on campus, they are to remain there until they are dismissed, and once dismissed, they are not to return during the school day. **09.221**

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

The Student Discipline Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. **03.162/03.262/09.427/09.422/09.42811**

Bullying/Hazing

"Bullying" is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or
2. That disrupts the education process.

Hazing" is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization*, including but not limited to actions which cause, coerce, or force a minor or a student to:

1. Violate federal or state criminal law;
2. Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
3. Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;
4. Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;
5. Endure brutality of a sexual nature; or
6. Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

"Organization" is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years. **09.422**

Section**2**

Benefits and Leave

Salaries and Payroll Distribution

All personnel are paid in accordance with Board-adopted salary schedules. Checks and direct deposit vouchers are issued according to a schedule approved annually by the Board. At the end of the school year, employees who have completed their duties may request to be paid their remaining salary before the end of the fiscal year (June 30). **03.121/03.221**

Direct Deposit

Direct deposit of payroll (DDP) is a mandatory benefit provided to employees at no cost. It is a service which causes the employee's net pay to be credited automatically to the employee's checking, savings, negotiable order of withdrawal (NOW), or share draft account. Virtually all commercial banks, savings and loans, savings banks, and credit unions participate in the network that makes this possible. The employee's net pay is credited to the employee's account on pay day without the employee having to make a trip to the institution. This is particularly convenient and safe when the employee is sick, on vacation, or on some other form of leave on pay day.

Employees using DDP no longer receive a check on pay day. The employee will continue to receive an electronic pay voucher with the details of gross pay for the period and all withholdings, authorized deductions, and the net pay amount credited to the employee's account.

All employees, including substitute employees, shall participate in DDP. It may take up to 3 pay periods for DDP to take effect. In the meantime, the employee will receive a paper pay check. Direct deposit accounts may be inactivated for any employee who has not received pay for six (6) consecutive months and will be required to complete new direct deposit authorization form upon return to work.

To access pay voucher information, log in via this link on the District website via MUNIS Self -Serve:

<https://fcps.munisselfservice.com>

Certified Personnel: Teachers receive their annual salary in 24 equal semi-monthly payments. Salaries for certified personnel are based on a single-salary schedule reflecting the school term as approved by the Board in keeping with statutory requirements. Compensation for additional days of employment is prorated on the employee's base pay.

Teachers who resign after the beginning of the school year will receive a pay-off check for days worked. Teachers who take a leave of absence after the beginning of the school year can use leave time and will have the option to receive a payout check after fifteen (15) consecutive days without pay. For those teachers who are hired or returning to work from a leave of absence after the beginning of the school year, the number of remaining days is multiplied by the daily rate and divided equally among the remaining pay checks for the school year.

One (1) year of experience credit step-up requires employment for a minimum of 140 days as a FCPS certified employee in a single school year and performance of teaching duties for the equivalent of at least seventy (70) full school days during that school year, regardless of the schedule on which those duties are performed. Twelve-month salaried certified staff must work 70% of the school calendar to be credited with one (1) year of experience. Teachers who perform teaching duties for the equivalent of at least 140 days during two (2) consecutive school years shall be credited with one (1) year of experience.

03.121 AP.1

Credits and/or rank changes to be considered in determining the salary of a teacher must be completed prior to September 15 with appropriate documentation submitted to the Department of Human Resources by the last business day in December. Candidates for National Board certification shall notify the Superintendent/designee (Human Resources) in writing prior to December 30 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

No later than forty-five (45) days before the first student attendance day of each year or June 15th, whichever comes first, the Superintendent will notify certified personnel of the best estimate of their salary for the coming year. **03.121**

Classified Personnel: All classified personnel are either paid on an hourly or salary basis and in accordance with the Board-approved payment schedule. For the purpose of salary calculation for classified employees, the District allows credit for a maximum of 20 years for classified salaried and four (4) years for classified hourly of professional experience outside the Fayette County Public Schools. Experience credit will be determined by the Director of Human Resources.

A classified employee shall earn one (1) year of experience credit for step-up on the salary schedule when the employee has received pay for a minimum of 70% of the annual work calendar. **03.221 AP.1**

Overtime

Overtime work must be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by the Fair Labor Standards Act for overtime work. **03.221**

If the employee holds two (2) positions with the board, the weighted average method will be utilized to determine overtime.

An Authorization for Overtime Form shall be completed for all overtime work performed above the total regular hours scheduled in any work week by hourly employees. All payments due an employee for overtime work shall be made from the Financial Accounting and Benefit Services Department through normal payroll procedures.

Scheduled holidays, approved leaves, sick days, X days, etc., are not included in calculating overtime pay.
03.2332

Salary Deductions

Fayette County Public Schools makes all payroll deductions required by law, including federal income tax, state income tax, city payroll tax, occupational license tax for schools, FICA (Social Security and Medicare), retirement, and court-ordered deductions.

Employees may choose from the following optional payroll deductions:

- Medical insurance;
- State approved voluntary/optional benefits;
- Board approved Tax Sheltered Annuity program, including the Kentucky Deferred Compensation Program under IRS Code 457;
- Other state approved deferred compensation plan;
- The Health and Education Federal Credit Union;
- United Way of the Bluegrass and Fayette County Education Foundation;
- State-designated Flexible Spending Account (FSA);
- Board approved dental, vision, disability and term life group insurance plans specified under the Board approved Cafeteria Plan of Employee Benefits; and
- Board-approved voluntary benefits. **03.1211/03.2211**

On an optional basis, all employees may authorize the Payroll Office to deduct from their compensation a designated amount to be forwarded to certain participating agents or companies offering tax deferred investment programs. The Board is not responsible for, and makes no representations as to the financial responsibility or solvency of, any company or agent offering a tax deferred investment program. The Board merely provides the service of deducting from compensation the amounts designated by the employees and forwarding it to the designated company or agent.

Questions or requests for additional information regarding tax deferred investment programs should be addressed to:

Associate Director of Employee Services
Financial Accounting and Benefits Services
381-4118

Investment choices and options can be viewed online at www.fcps.net/benefits.

All voluntary payroll deductions will remain in effect for each paycheck during the scheduled deduction period until a change or cancellation notice is received in the Payroll Office. Upon receipt of such notice the payroll office will put into effect such change/cancellation on the next appropriate scheduled pay date.

Insurance

The Board provides unemployment insurance, workers' compensation and liability insurance for all employees. In addition, the state of Kentucky provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation. **03.124/03.224**

The Board provides liability insurance in an amount of \$6,000,000 per occurrence and in the aggregate for the protection of the District and all employees. To minimize the risk of lawsuits, employees always should adhere to Board policy, utilize standard operating procedures for their positions, and act in good faith in the roles assigned to them. By following these simple actions, employees involved in work-related litigation will be afforded a legal defense and have any judgments against them satisfied by the Board's insurance policy. Any specific questions or issues related to liability coverage may be directed to Risk Management and Safety at 381-3827.

Whenever full-time employees are granted a leave of absence without compensation for a period of no more than fifteen (15) continuous working days, insurance benefits will continue, assuming those days are not the last fifteen (15) days of the work calendar.

Board insurance policies do **not** cover intentional acts or damage caused by employees or actions taken by employees that fall outside the scope of their duties as authorized by the Board.

The best interest of all employees and the District is served when employees perform their jobs in compliance with Board policies and procedures. The exercise of common sense and concern for the welfare of all students and co-workers is a good method to prevent lawsuits. Should employees be involved in any incident that they reasonably anticipate could result in litigation, they should immediately write a detailed report and send it to their supervisor.

Worker's Compensation

All District employees are covered by Workers' Compensation Insurance for injuries and illnesses sustained during the course and scope of their job. Work-related injuries must be reported immediately to the appropriate supervisor. Disability wages and medical benefits are provided if a claim is found to be compensable.

Disability wages are calculated using the state formula and wage loss is not payable to an employee for the first seven (7) calendar days of disability. If the disability exceeds fifteen (15) calendar days, the first seven (7) days will be paid. Employees on workers' compensation leave may have their benefits disrupted if they do not work in a given month. Employees who elect to use available sick leave may keep benefits intact. Employees must pay for their prescriptions if the pharmacy will not bill directly. Receipts should be forwarded to Risk Management and Safety for reimbursement.

In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment. **03.1241/03.2241**

For any questions regarding Workers' Compensation claims, please contact Risk Management and Safety at 381-3827. Leave and benefit questions should be directed to Financial Accounting and Benefits Services at 381-4118. (See also Sick Leave Policies **03.1232/03.2232** and contact the Financial Accounting and Benefits Services for information about COBRA.)

Health Insurance

Single, couple, parent plus and family medical insurance plans are available to full-time and eligible part-time (.7 employment or greater) certified personnel and 20 hours a week or more for classified personnel on a required basis. The Commonwealth of Kentucky presently pays a major portion of the cost of medical insurance for the employee. State-sponsored coverage begins on the first day of the second month following the date of employment.

If employment terminates or an employee enters leave without pay status with no FMLA protection between the 1st and the 15th of the month, health insurance coverage will terminate on the 15th of the same month. If employment terminates or an employee enters leave without pay status with no FMLA protection between the 16th and the end of the month, health insurance coverage will terminate on the last day of the same month. Flexible Spending Accounts (FSAs) and Health Reimbursement Accounts (HRAs) end on the 15th or the end of the month, depending on the termination date. For example, if an employee terminates the 1st-15th, FSA/HRA terminates on the 15th. If an employee terminates the 16th – end of the month, FSA/HRA terminates on the last day of the month.

Medical premiums are automatically pre-taxed unless otherwise specified. (See also Family and Medical Leave Policies **03.12322/03.22322**)

Social Security-Medicare Insurance

In addition to the mandatory contributions deducted from each employee's pay check, the Board contributes a like amount. Four (4) months prior to an employee's 65th birthday, employees should contact the Social Security office to determine eligibility for Medicare insurance and to complete the appropriate application forms. Failure to do so may result in a delay in obtaining coverage and the assessment of a penalty.

Life Insurance

A \$20,000 term life insurance policy is provided by the Commonwealth of Kentucky for all eligible employees. Subject to conditions set forth by the insurance carrier, eligible employees have the option to purchase additional individual coverage and/or family coverage and have the premiums made through payroll deduction. Eligible employees have the option to convert this insurance over to direct pay at the time of termination or retirement. State-sponsored coverage begins on the first day of the second month following the date of employment. State-sponsored life insurance coverage ends on the last date of the month.

Board-Provided Life Insurance

The Board provides a \$30,000 term life insurance policy for all health insurance eligible employees, which includes accidental death and dismemberment coverage.

Unemployment Compensation Benefits

Employees who meet the eligibility requirements under unemployment regulations are covered by unemployment insurance. Unemployment compensation benefits are not available during periods of scheduled breaks in the work calendar. Such breaks begin at the close of the last work day immediately preceding a scheduled break. **Unless an official work calendar changes, employees are expected to work or use appropriate leave.**

All full-time and part-time classified personnel are hereby provided reasonable assurance by the District of continued employment, unless provided notice to the contrary. Although the services of certain employees are not needed during the summer vacation period or established holiday periods, they are still considered to be employees of the District. Consistent with the provisions of KRS 341.360, these employees shall not be paid unemployment compensation benefits for any period when no services are scheduled to be performed.

Insurance Coverage While on Leave of Absence

Employees on a leave of absence have the option to continue their benefit (see COBRA section) insurance coverages during the term of the leave of absence. Such employees will be notified in writing regarding the necessary action to obtain continuous coverages. Employees shall have the responsibility to continue insurance coverage when they are granted leave of absence, resign, or are terminated. (See also Workers' Compensation and Family and Medical Leave Act.)

Optional Insurance Coverage

Group insurance coverage is available to eligible employees with premiums to be paid through payroll deductions. Dental and vision premiums are automatically pre-taxed unless otherwise specified.

Flexible Spending Account (FSA)

A Flexible Spending Account (FSA) allows employees to designate a certain amount of their taxable income on a pre-tax basis to be used for payment or to be reimbursed for out-of-pocket medical, dental, vision and dependent care expenses. There are three types of FSA plans:

State Funded Health - Employees who waive coverage or elect a healthcare plan with an HRA included participate in the State Funded Health Reimbursement Account (HRA).

Healthcare Flexible - Employees may elect to have some of their own money deducted from their paychecks and placed in a Healthcare Flexible Spending Account (FSA). This money can be used to pay for out of pocket health care expenses that are not reimbursed from any other source.

Dependent Care Flexible Spending Account - Money from this account can be used to pay for child and adult daycare expenses which are incurred for qualified dependents. Employee pays for expense and is reimbursed through the Dependent Care FSA account.

Employees must complete a Health Insurance Application annually to enroll in any of the FSA plans. For more information, employees may contact the Department for Employee Insurance (DEI). Flexible Spending Accounts (FSAs) and Health Reimbursement Accounts (HRAs) end on the 15th or the end of month, depending on termination date. For example, if an employee terminates the 1st-15th, FSA/HRA terminates on the 15th. If an employee terminates the 16th-end of month, FSA/HRA terminates on the last day of the month.

Health Education Federal Credit Union

The Health Education Federal Credit Union provides loan, saving, and checking services to all Fayette County School personnel. Direct payment or automatic payroll deductions may be utilized for repayment of loans or for savings. Questions or requests for additional information regarding the credit union may be addressed by calling or by contacting the agency at one of these locations:

Health Education Federal Credit Union

424 Park Place 185 Pasadena Dr. #155
Lexington, Kentucky 40511 Lexington, Kentucky 40503

COBRA

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), medical insurance coverage may be continued at group rates, plus an administrative expense charge in certain instances, where coverage under the plan would otherwise end. There are certain rights and obligations under the continuation coverage provisions in Title X of COBRA for both subscribers and their covered dependents.

District employees covered by one of the state-sponsored medical insurance plans have a right to choose continuous coverage at their own expense [maximum 18 months] if their medical insurance coverage is terminated because of a reduction in hours of employment, termination of employment, or leave of absence.

Spouses of District employees covered by one of the state-sponsored medical insurance plans have the right to choose continuous coverage [maximum 36 months] for themselves if their medical insurance coverage is terminated because of one of the following four (4) qualifying events:

1. The death of a spouse who is a District employee.
2. Termination of employment or reduction in hours of employment of a spouse employed by the District.
3. Divorce or legal separation from a spouse employed by the District.
4. Spouses, who are District employees, become eligible for Medicare.

Dependent children of a District employee covered by one of the state-sponsored medical insurance plans have the right to choose continuous coverage [maximum 36 months] for themselves if their medical insurance coverage is terminated because of any of the following five (5) qualifying events:

1. Death of a parent who is a District employee.
2. Termination of a parent's employment or reduction in a parent's hours of employment with the District.

3. Medicare eligibility of the parent who is a District employee.
4. The dependent child becomes ineligible for coverage under his/her parent's coverage because of attaining the limiting age.

Under the law, employees or family members have the responsibility to inform the Group Administrator of a divorce, legal separation, or a child losing dependent status under one of the state-sponsored medical insurance plans. When the Group Administrator is notified in writing that one of these events has occurred, the Group Administrator will in turn notify the individual(s) of the right to choose continuation coverage. Under the law, the individuals have at least 60 days from the date they would lose coverage because of one of the qualifying events described above to inform the Group Administrator that they want continuation coverage. If the choice of continuation coverage is not made within the 60 days, the group medical insurance coverage will end.

If the individuals choose continuation coverage, the District is required to give them coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that eligible individuals be afforded the opportunity to maintain continuation coverage for three (3) years, unless the reason for loss of group medical coverage was termination of employment or reduction in hours. In those cases, the required continuation coverage period is 18 months. However, COBRA also provides that the continuation coverage may be cut short for any of the following reasons:

1. The District no longer provides group medical insurance coverage to any of its employees.
2. The total premium for continuation coverage is not timely paid.
3. The individual becomes an employee covered under another group medical insurance plan.
4. The individual was divorced from the District employee, has subsequently remarried, and is covered under the new spouse's group medical insurance plan.

Proof of insurability is not required in order to choose continuation coverage. However, under the law, individuals may have to pay all or part of the premium for the continuation coverage.

The law also states that at the end of the 18-month or 36-month continuation period, the individuals must be allowed to enroll in an individual conversion medical insurance plan provided by the carrier with whom they currently have coverage.

Any questions regarding COBRA benefits should be addressed to Group Administrator at IAKSS. Also, if there is a change of address or a change in the marital status of a District employee or his/her dependent(s), it is the responsibility of such employee to send written notification to the Group Administrator.

Questions or requests for additional information regarding medical, liability, cancer indemnity, dental, term life, disability, COBRA, the cafeteria plan of benefits, state-sponsored life insurance, and unemployment insurance should be addressed to the Financial Accounting and Benefits Services. Questions regarding Workers' Compensation should be addressed to the Associate Director of Risk Management and Safety.

Reduction in Salary and Responsibility

Salaries for teachers shall not be less than the preceding year unless such reduction is part of a uniform plan affecting all teachers in the entire District or unless there is a reduction of responsibilities.

Reduction of responsibility for teachers may be accompanied by a corresponding reduction in salary. Written notice that states the specific reason(s) for the reduction shall be furnished teachers no later than ninety (90) days before the first student attendance day of the school year or May 15, whichever occurs earlier. **03.1212**

Holidays and Vacations

All full-time and part-time employees shall be paid for four (4) holidays, which shall be designated in the official school calendar. However, employees who do not work both the day before and the day after a holiday and who are not on paid leave authorized by their supervisor shall not receive pay for the holiday.

The Superintendent may require classified personnel to work on holidays. In this case, the employee shall be granted the holiday on another day. **03.222**

Twelve-month certified and salaried classified employees shall be eligible for twelve (12) days paid vacation annually, to include FRYSC's (Family Resource Youth Service Coordinator) effective 7/01/2021 in accordance with Board policy. Vacations must be scheduled in advance by the immediate supervisor for staff members under their supervision. **03.122/03.222**

Leave Policies

In order to provide the highest level of service, employees are expected to be at work and on time every day. However, when circumstances dictate, the Board provides various types of leave under which absences may be authorized. Employees who must be absent should inform their immediate supervisor as soon as possible.

All absences shall be accounted for under an appropriate leave policy.

Listed below is general information regarding several types of leave available to employees. Leave time is given to employees upon their first day worked of each fiscal year. Please note that in many cases a written request, submitted for approval before leave begins, is required. Nothing contained in any of the leave policies referenced in this handbook shall be construed as extending leave benefits to personnel employed in a temporary or seasonal position.

Leave time is granted to employees at the beginning of each fiscal year according to their contracted days. Employees hired late are allotted pro-rated leave time according to their effective date of hire. Employees who start the new year on a leave of absence will not earn the new year leave time until after completion of the first day of work during the current school year.

Authorization of leave and time taken off from one's job shall be made in accordance with specific leave policy. All leave must be taken in whole day or half day increments for certified and classified salaried employees and in quarter-hour increments for classified hourly employees, unless otherwise noted. 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.

Employees on extended leave, including those on professional leave serving in charter schools, who plan to return the next school year must notify the Superintendent/designee in writing of their intention to return to work by February 28. Employees intending to return at any time other than the beginning of the school year shall provide such notification at least 60 calendar days prior to the date of return. Employees who fail to notify the Superintendent by these dates cannot be guaranteed employment for the following school year.

Employees shall not experience loss of income or benefits, including sick leave, when they are assaulted while performing assigned duties and the resulting injuries qualify them for workers' compensation benefits. **03.123/03.223**

For complete information regarding leaves of absence, refer to the District's *Policy Manual*.

Personal Leave

Full-time certified employees and full-time and eligible part-time classified employees are entitled to three (3) days of paid personal leave each school year.

Employees must obtain prior approval from their immediate supervisor for the leave date and should give at least two (2) days' notice, but no reasons shall be required for the leave. Employees must file a personal statement (leave form) no later than five (5) days after their return to work stating that the leave was personal in nature.

Personal leave shall not be taken on the opening or closing day of school (first or last day of classes for students and first and last non-flexible staff development day for teachers). A request to waive this prohibition to use personal leave on the opening or closing day of school may be granted by the Superintendent on a case-by-case basis.

In addition, immediate supervisors are authorized to limit the use of personal leave during emergencies which result in the unavailability of an adequate number of qualified substitute employees.

On June 30 of each year, personal leave days not taken during the current school year shall be transferred and credited to the employee's sick leave account.

Complete information about personal leave is set out in Board policy. **03.1231/03.2231**

Sick Leave

Full-time employees shall be entitled to ten (10) days of sick leave with pay each school year in keeping with the provisions of Board policy. **03.1232**

Employees who work eleven (11) or twelve (12) months shall be entitled to eleven (11) or twelve (12) days, respectively, with pay each school year.

Employees who are hired after the beginning of their work calendar will be given prorated days based on the month hired.

Sick leave may be taken for:

- Personal illness, including illness or temporary disabilities arising from pregnancy (typically 6 weeks [30 days] for normal delivery, 8 weeks [40 days] for Caesarean section).
- Attending to a member of the employee's immediate family who is ill or for mourning a member of the employee's immediate family, as defined in policy.

Sick leave may not be used for child rearing, with the exception that employees may use up to thirty (30) of sick leave following the birth or adoption of a child. More than thirty (30) days can be used if the employee provides medical documentation to the Benefits department. (See also Maternity Leave.)

Sick leave days not taken during the school year they were granted accumulate without limit for all employees.

Accumulated days of sick leave shall be granted to an employee if prior to the opening day of the school year, an affidavit or a certificate of a physician is presented to the Board, stating that the employee is unable to assume his/her duties on the opening day of the school year, but will be able to assume duties within a period of time that the Board determines to be reasonable.

Upon return to work, an employee claiming sick leave must file a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill. Falsification of a sick leave affidavit is cause for disciplinary action.

Beneficiaries of an employee who dies while in active service shall receive accrued sick leave death benefits on behalf of the deceased employee. **03.1232/03.2232**

See the "Retirement" section for information about reimbursement for unused sick leave at retirement. **03.175/03.273**

TRANSFER OF SICK LEAVE

Employees transferring to/from the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District. The employees accumulated sick days balance will only transfer to/from the District if it is a direct transfer and no more than a ten (10) day break in service. It is the responsibility of employee to ensure accumulated sick leave balance transfer is complete and accurate.

Sick Leave Donation Program

Employees who have accumulated more than fifteen (15) days of sick leave may request to donate sick leave days to another employee authorized to receive the donation. Certified employees may donate sick leave to both certified and classified employees, and classified employees may donate to both classified and certified employees.

Employees may not disrupt the workplace while asking for donations. No employee shall use any promise, exchange, or influence to require another employee to donate excess sick leave to any other employee. In addition, a donor cannot sell, offer to sell, bargain, exchange, transfer or assign accumulated sick leave for any consideration or in any manner other than authorized by Board policy. A donation can only be made by a current FCPS employee.

Recipients shall comply with the Board's policies governing the use of sick leave. In addition, the donor and the recipient shall complete and sign a sick leave donation card specifying the days to be donated, and the recipient shall attach the required written certification by a licensed physician. The donor shall donate in full day increments only.

Donation of sick leave is not revocable. Once the donor's application has been accepted, the donation cannot be withdrawn.

Requests to donate or receive sick leave days shall be processed through the Payroll Office after being submitted by the school/building secretary on the appropriate payroll reports. Donated sick leave is not retroactive. The sick leave donation card must be received in the Payroll Department along with the official payroll documentation submitted for the relevant pay period. No sick leave donation cards will be accepted once the relevant payroll period has been closed by the Payroll Department. A donation must be received prior to an employee's last day of employment.

Any donated sick leave not used by the recipient shall be returned on a proportionate/pro-rated basis to the donor(s) who donated days. **03.1232/03.2232**

Sick Leave Bank

The Sick Leave Bank was closed to new enrollees as of January 1, 2008. The Bank shall remain in existence for members, who joined prior to that date until all available days/hours have been exhausted. At that time, the Sick Leave Bank will close.

To verify membership, employees may contact Financial Accounting and Benefits Services. For further information concerning the process to file for use of Sick Leave Bank days, please refer to Board Policy. **03.12321/03.22321**

Family and Medical Leave

Family Medical Leave (FML) is required by federal law for employees using three plus (3+) consecutive work days of sick time. Per the US Dept. of Labor, if spouse's share the same employer, they must share the twelve (12) workweeks of FML.

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave for one of the reasons below:

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 her/his 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.

When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period.

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave. Employees must use all available emergency leave, carry-over vacation leave, personal leave, and sick leave before being eligible for unpaid family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This provision does not apply to Workers' Compensation leave.)

Employees should contact their immediate supervisor as soon as they know they will need to use Family and Medical Leave. **03.12322/03.22322**

For additional information, employees may contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

Following is a summary of the major provisions of the Family and Medical Leave Act (FMLA) from the United States Department of Labor.

FML Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son, daughter or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements - Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.

Benefits and Protections - During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements - Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition - A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave - An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave - Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

Employee Responsibilities - Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities - Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers - FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right provided or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement - An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Quarantine Leave

Employees shall receive at least ten (10) days for quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health.

Leave granted shall be on a day-by-day basis, as needed, and shall not accumulate or carry over year to year, and shall not be transferrable to any other classification of paid leave established by KRS 161.155, KRS 161.154, or Board policy. **03.12323/03.22323**

Maternity Leave

Employees may use up to thirty (30) days of sick leave following the birth or adoption of a child.

The parent of a newborn or an employee who adopts a child may also request an unpaid leave of absence not to exceed the remainder of the semester in which the birth or placement occurred. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.

Employees eligible for family and medical leave are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child. **03.1233/03.2233**

Employees requesting maternity leave should schedule a maternity leave conference with the Financial Accounting & Benefits Services.

The Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law. **03.1233**

Extended Disability Leave

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of one (1) semester, not to exceed two (2) consecutive school years.

Employees shall submit a written request to the Department of Financial Services along with a licensed physician's verification of disability. The Department of Financial Services shall notify the appropriate District supervisor if the leave request is approved.

The Superintendent may require an employee to secure a medical practitioner's verification of a medical condition that will justify the need for disability leave.

Exception for Certified Personnel

In the event a proceeding has been instituted to terminate a certified employee's contract under the provisions of KRS 161.790, the employee's request for a leave of absence may be deferred by the Superintendent until the conclusion of such proceedings.

Involuntary Disability Leave

When there is evidence that an employee is no longer able to perform satisfactorily the assigned duties due to possible physical or mental health issues, the Superintendent may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by an appropriate health care and/or occupational professional of the Superintendent's choosing. The Board shall bear the cost of this examination.

In an emergency situation, the Superintendent may suspend the employee temporarily, without pay, pending the examination by the health care and/or occupational professional. Upon recommendation of the Superintendent, the Board may place the employee on involuntary disability leave.

Certified employees shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790. **03.1234/03.2234**

The Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law. **03.1234**

Emergency Leave

Full-time employees are entitled to three (3) days of emergency leave with pay each school year. In addition, if emergency leave is exhausted, employees may use three (3) days sick leave per school year for emergency leave pursuant to KRS 161.152 and consistent with the Board policy provisions.

Part-time employees also are eligible for emergency leave as set out in Board policy.

Approved reasons for taking emergency leave include: personal illness **if** all sick leave has been exhausted, illness/death of a relative or personal friend, natural disasters, personal disasters, bereavement, (subpoena and court documentation required), legal proceedings, weather-related transportation problems and other reasons approved by the Superintendent/designee where there exists a pressing necessity that requires immediate attention.

Persons taking emergency leave must complete an emergency leave card upon their return to work stating the specific reasons for their absence. Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria. Persons taking emergency leave must file a leave form upon their return to work stating the specific reasons for their absence. **03.1236/03.2236**

Emergency leave shall not be earned by an employee until after completion of the first day of work during the current school year, except when the employee was on duty or on paid leave on the last day of the previous work year and provided the employee returns to work immediately following the use of such leave.

Emergency leave does not accrue, which means that unused emergency leave does not carry over to the next school year.

Jury Leave

Any employee who serves on a jury in local, state or federal court will be granted paid leave (minus any jury pay, excluding expense reimbursement) for the period of her/his jury service.

Jury leave is available for time required to serve on a jury and for travel time back to the work site. Employees are expected to return to their work responsibilities if released with at least one (1) hour remaining in their work day.

The jury leave card can be obtained from the immediate supervisor. Employees must report the dates and number of hours served during the pay period. The jury leave card must be submitted to the immediate supervisor for submission to the Payroll Department. Verification from the court of dates served must be provided.

Employees who will be absent from work to serve on a jury must notify their immediate supervisor in advance. **03.1237/03.2237**

Military/Disaster Services Leave

Military leave is granted under the provisions and conditions specified in law and Board policy. As soon as they are notified of an upcoming military-related absence, employees are responsible for notifying the Department of Financial Services and their immediate supervisor. In addition, a copy of the Orders and Leave and Earnings Statement (LES) shall be provided to the Department of Financial Services.

The Board may grant disaster services leave to requesting eligible employees. **03.1238/03.2238**

Unpaid Leave

On written request to their immediate supervisor and prior approval of the Board, employees may be granted up to fifteen (15) consecutive days without pay away from their assigned duties, provided the days do not fall under any other appropriate Board leave policy. Upon the supervisor's approval, the request shall be forwarded to the Financial Accounting and Benefits Services to be placed on the Board agenda for approval.

Extended leave without pay (from 15 days up to one fiscal year) may also be requested. **03.123/03.223**

Employees whose absences qualify for sick or emergency leave shall use such leave prior to requesting any days without pay. Employees who have exhausted all leave and whose health condition continues to prevent them from being on the job, should apply for a leave of absence without compensation to begin at the close of their last paid day so as to enable them to protect fringe benefits through direct payment.

Retirement and experience credit for step up on the appropriate salary schedule is not accumulated while an employee is on unpaid leave.

Employees who are absent without pay and without authorization for more than fifteen (15) continuous working days are responsible for payment of premiums for insurance benefits. Benefits may be terminated if the employee is out fifteen plus (15+) days and not covered under FML (See Insurance Section.)

Educational Leave

Certified Employees: The Board may grant unpaid leave for a period no longer than two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time attendance at universities or other training or professional activities. Leave will not be granted for part-time educational activities.

The Board shall grant a two (2) year unpaid leave to employees under continuing service contracts who have been offered employment with a charter school.

A teacher with continuing status shall notify the District of the teacher's intent to work in a converted charter school.

A teacher working in a converted charter school shall notify the District of the teacher's intent to return to employment the next school year by April 15 of each year of the granted leave.

Written application for educational/professional leave must be made at least sixty (60) days before the leave is to begin. **03.1235**

Professional Leave

Professional leave is leave granted to a classified employee to participate in educational related and/or professional growth and development activities. The professional leave activity must be either a part of the professional growth plan of the employee or must be related to the goals of the District/school and or the District/school improvement plan. At the conclusion of approved professional leave, a Professional Leave Evaluation Form is to be submitted to the employee's supervisor for placement in the employee's professional growth folder. The completed evaluation should also be forwarded to the budget manager for information. All professional leave must have prior approval from the Board of Education. **03.1911/03.2911**

Employees should refer to the [Professional Leave Handbook](#) for additional details. In addition, forms and additional information concerning professional learning is available on the District website:

<https://www.fcps.net/staff>

Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is a service designed to help employees and their families learn to deal more effectively with emotional issues and problems of daily living. This program provides employees with access to trained counselors who are skilled in helping people with situations that can affect anyone: death, anxiety, financial worries, concerns about aging family members, and drug and alcohol problems.

Employees who are health insurance eligible may voluntarily participate in the EAP. EAP benefits consist of four (4) sessions per problem with unlimited issues per year per employee or family member. EAP services cover the employee, their spouses and their dependents. There is no charge to the employee. For more information or to schedule an appointment contact:

INOVA EAP

inova.org/eap

(800) 346-0110

At times, employee performance and/or behavior may necessitate that the Principal or supervisor refer the employee to the EAP. The Principal or supervisor shall consult with the Superintendent's designee who will make the mandatory referral and serve as the point of contact with the EAP to determine if the employee is attending scheduled appointments and is otherwise compliant. Failure to comply with a mandatory EAP referral may be cause for disciplinary action.

Access to Employee Forms

Forms related to employee services and benefits may be accessed via the District website:

www.fcps.net/benefits

Section**3**

Personnel Management

Transfer

Pursuing a voluntary transfer is the responsibility of the employee. Personnel may be considered for vacancies that occur in the District by completing an online application available on the District website.

Employees charged with a felony offense may be transferred to a second position with no change in pay until such time as they are found not guilty, the charges are dismissed, their employment is terminated, or the Superintendent determines that further personnel action is not required. **03.1311/03.2311**

Employees should refer to **03.1311 AP.1** and **03.2311 AP.1** for additional information.

Personnel Records

One (1) master personnel file is maintained at It's About Kids Support Services (IAKSS) for each employee, including original summative evaluations. The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. Employees may inspect their personnel files. **03.15/03.25**

For additional information, please refer to the [Confidentiality and Nondiscrimination Handbook](#) posted on the District website:

www.fcps.net/hr

Retention of Recordings

Employees shall comply with the statutory requirement that school officials are to retain any digital, video, or audio recording as required by law. **01.61**

Employee Information

Employees must promptly report changes in name, address, and telephone number within ten (10) business days of the change. Name changes must be reported to Human Resources on the CHANGE OF NAME FORM available from that Department. Address and telephone numbers must be changed by the employee via MUNIS Self-Serve:

<https://fcps.munisselfservice.com>

Employee Discipline

Certified Personnel

No contract shall be terminated except upon notification to the employee by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher. Termination of contracts of certified personnel shall be made in compliance with the requirements of KRS 161.790.

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with KRS 161.790. **03.17, 03.172**

Classified Personnel

Classified employees may be subject to the following actions, to include, but not be limited to:

- Verbal warning or reprimand by Superintendent/designee
- Written warning or reprimand by Superintendent/designee
- Probation imposed by Superintendent/designee
- Reassignment (temporary or permanent) by Superintendent
- Suspension without pay by Superintendent
- Nonrenewal of contract by Superintendent
- Dismissal (termination of contract) by Superintendent

This listing does not require that the options be invoked in progressive order. Any option may be invoked based on the severity of the disciplinary issue and all applicable facts and circumstances.

An employee may be suspended from duty without pay for the remainder of the work day by the immediate supervisor when drugs, alcohol, and/or the safety of students or staff are involved.

An employee shall be placed on administrative leave with pay only when the Superintendent determines there is a justifiable need to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process.

Any classified employee may be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

- Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.
- Reporting to work under the influence of, or illegal use of, or possession of alcohol or controlled substances while on duty, as set out in Policy **03.23251**.
- Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
- Repeated unexcused absence, tardiness, absence without notification or abuse of, or misrepresentation concerning, sick leave.
- Job abandonment: An employee who fails, refuses, or is unable to return to work after the exhaustion of any authorized leave may be terminated unless the employee is granted additional leave by the Board.
- Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
- Violation of or refusal to obey administrative procedures or directives from the Superintendent or a supervisor.
- Refusal to comply with safety directives.
- Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
- Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
- Conviction of a violent crime or a sex crime as defined in KRS 17.165.
- Immorality or other unprofessional conduct.
- Violation of a provision of his/her classified contract.
- Loss of licensure or certification required for the position; failure to provide cooperation or consents necessary to serve or continue serving in positions requiring licensure; or being disqualified from serving in a licensed position based on information obtained by the District from the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol electronic "Clearinghouse" or otherwise.

- Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
- Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
- Physical or mental disability, consistent with applicable laws protecting employees with disabilities.

The employee shall be given notification of the specific charges against him/her by his/her supervisor and an opportunity to deny the charges in keeping with procedures developed by the Superintendent to implement due process provisions.

When charges result in disciplinary actions other than termination or suspension without pay and employees wish to contest the charges, they may submit a written response, which shall be placed in their file along with the written charges. **03.27**

Employee Separation

An employee who voluntarily leaves the District 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 the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information. **03.17/03.272**

Nonrenewal

Termination and nonrenewal of contracts are the responsibility of the Superintendent.

Certified: Nonrenewal of limited contracts of certified personnel shall be made in compliance with the requirements of KRS 161.750. **03.17**

Classified: Nonrenewal of contracts for classified personnel shall be made in compliance with the requirements of KRS 161.011, with written notice being mailed or provided to the employee by the Superintendent. Limited contract certified employees and classified employees with less than four (4) years of active continuous service in the District may be recommended for nonrenewal of contract based on one or more of the following reasons:

1. For cause, including but not limited to, evaluation by the employee's immediate supervisor, incompetency, neglect of duty, insubordination, inefficiency, misconduct, or immorality(not eligible for rehire);
2. Reduction in student enrollment (eligible for rehire);
3. Principal's judgment (eligible for rehire);
4. TRS retirees who are currently employed in a certified position (eligible for rehire);
5. Certified employees teaching with an expiring (temporary, adjunct and emergency) certification (eligible for rehire);
6. A position becomes obsolete or redundant (eligible for placement in similar position for which employee qualified, if available);
7. Reorganization or changes made for elimination or reduction of a program (eligible for placement in similar position for which employee qualified, if available);
8. Council decision related to staffing needs at the school (eligible for placement in similar position for which employee qualified, if available);
9. Any other change in District personnel staffing policies or guidelines;
10. Loss or reduction of funding (eligible for placement in similar position for which employee qualified, if available); or
11. Other grounds contained in Board policy, including, but not limited to, causes for action set forth in Board policy. **03.27/03.2711**

If a classified employee's contract is nonrenewed for cause due to misconduct, the employee may not receive unemployment insurance payments if the Kentucky Department for Employment Services determines the employee's actions were in willful disregard of the employer's business interests.

Resignation

An employee who wishes to resign his/her position must give at least ten (10) work days' written notice to his/her supervisor and the Department of Human Resources. If timely written notification is not received, the employee's benefits could be jeopardized.

Employees who fail to give ten (10) workdays' notice of resignation shall not be paid for any unused vacation leave.

Certified employees seeking to resign or terminate their contracts must do so in compliance with KRS 161.780. **03.17**

No teacher shall be permitted to terminate his/her contract within fifteen (15) days prior to the beginning of the school term without consent of the Superintendent. Any teachers requesting release from his/her contract shall notify the Department of Human Resources immediately. Requests for release from contracts other than for emergency reasons (as determined by the Superintendent) shall state that the teacher is willing to remain until a satisfactory replacement can be obtained.

Reduction in Force

Certified: When, by reasons noted in KRS 161.800, it becomes necessary to reduce the number of certified personnel, the Superintendent shall do so in compliance with the statute.

Classified: The Superintendent is authorized to make a reduction in force at any time in keeping with the provisions of Board policy and due to the following:

1. Reduction in funding,
2. Reduction in enrollment of students,
3. Changes in the District or school boundaries, or
4. Other compelling reasons as determined by the Superintendent.

Reduction of employees shall be made within MUNIS job classifications. The Superintendent shall provide at least thirty (30) calendar days' written notification to all affected employees.

Reduction in force of classified employees shall be defined as total separation from employment in the District. Non-renewal of a part-time position when an employee holds more than one (1) position shall not be considered a reduction in force. **03.271**

Retirement

Employees who decide to retire should give the Superintendent/designee notice as far in advance as possible. For certified personnel, such notice shall be in compliance with KRS 161.780. Retirement benefits are solely a matter of contract between the employee and her/his retirement system (the Teacher's Retirement System, the Kentucky Retirement System or the County Employee's Retirement System). All retiring employees are required to submit their paperwork to Fayette County Public Schools Benefits Office forty-five (45) days prior to the month of retirement.

For Classified hourly employees, following a minimum employment probationary period of six (6) months and maximum of twelve (12) months, all eligible classified hourly employees are automatically enrolled in the County Employees Retirement System/Kentucky Retirement System (CERS/KRS) on either January 1 or July 1 depending on hire date. The probationary period is waived for those employees who have an active retirement account with CERS/KRS/TRS and retirement deductions will begin upon hire. Any classified hourly employee who separates and returns to the district will not be subject to the probationary period if previously completed and retirement deduction will begin upon hire.

For all Certified and Classified Salary employees, they are automatically enrolled in the Teachers Retirement System (TRS) and retirement deductions begin upon hire.

The Board compensates employees only upon initial retirement from the District, for each unused sick day at the rate of thirty percent (30%) of the normal hourly rate of pay, or daily rate provided they supply the required proof of retirement from either the County Employees' Retirement System (CERS) or the Teachers Retirement System (TRS). .If employee is contracted for less than 1.0 FTE (full time equivalency), the sick days will be paid at employee's current FTE% (full time equivalency) at time of retirement. The District will not compensate for unused sick days to employees for second retirement. If employee separates from the District and cannot transfer unused sick days or is ineligible for sick leave payout, any unused sick days will remain on employees account. If employee returns to district in full time position, the unused sick leave hours/days account balance will be reinstated to employees account. If employee does not return to District before retirement, then the employee is not entitled to the unused sick days account balance when employee retires and employee is not entitled to sick leave payout from Fayette County Public Schools. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed three hundred (300) days. **03.175/03.273**

Eligible employees coming to/from the District to/from another Kentucky school district or Kentucky Department of Education shall transfer accumulated sick leave to the District. The employee's accumulated sick days balance will only transfer to/from the District if it is a direct transfer and no more than a ten (10) day break in service. It is the responsibility of employee to ensure accumulated sick leave balance transfer is complete and accurate.

For complete information about retirement system membership, employees should contact:

TRS
479 Versailles Road
Frankfort, KY 40601-3868
(502) 848-8500 or 1 (800) 618-1687
<https://trs.ky.gov/>

KRS/CERS
1260 Louisville Road
Frankfort, KY 40601-6124
(502) 696-8800 or 1 (800) 928-4646
<http://kyret.ky.gov>

Evaluations

Every employee shall be given the opportunity to review his/her evaluation with his/her supervisor and have the opportunity to attach a response to the evaluation if needed. Any certified employee who believes that he/she was not fairly evaluated may appeal his/her evaluation. **03.18.**

Any classified employee who believe that he/she was not fairly evaluated may file a written rebuttal to be placed with their evaluation and filed in their personnel file located in the Department of Human Resources. **03.28**

A classified employee's contract may be conditionally renewed with the understanding that the employee's performance must improve. If performance does not improve, the employee's contract shall be nonrenewed the next renewal period. An employee shall not be conditionally renewed two (2) consecutive years.

Forms and additional information concerning employee evaluations and growth plans is available via the District website:

<https://www.fcps.net/staff>

Training/In-Service

Certified Personnel: The Board provides a high-quality personalized and evidence-based program for professional development and continuing staff development/training.

The need for consistency among schools for accountability in time spent in the state professional development activities and in the fulfillment of the approved professional development plans of individual schools and the District is important. In recognition that individual schools may have wide latitude in planning and scheduling their professional activities and that the District must be fully accountable for state funds received, the following accountability procedures shall apply:

- The school Principal shall account for attendance of all school personnel assigned to the school for professional development day participation, whether sponsored by the school, the District, the Kentucky Department of Education, or other entity.
- To be paid for a day in the school calendar designated as a professional development day, a certified employee shall participate in a minimum of six (6) clock hours of professional development activities.
- The individual school Professional Development Committees shall plan the professional development program at the school level.

- When District-wide professional development activities are carried out on state professional development days, the Principal or designee shall provide an attendance sheet to be signed by all certified personnel who participate. The names of participants and the hours of participation will be sent to each participant's Principal. The Principal is responsible for using this information to verify attendance of professional staff members at approved professional development activities for certified staff payroll purposes.
- Teachers who are members of a school staff that has included participation in the District's flexible in-service programs as a part of its school professional development plan may be eligible to be excused, with pay, on state professional development days designated in the District calendar as "flexible." To qualify for this exemption, the teacher must have:
 1. Completed 6 hours of **approved** in-service credits that have been earned prior to the scheduled professional development day and on non-salaried time and for which no stipend has been received. (All activities approved by the District are published in the *Menu of Approved Programs*. The Principal or Professional Development Committee of each school may approve other programs for participation by members of its own staff.)
 2. Submitted proof of attendance to the teacher's Principal (or immediate supervisor) prior to the calendar date of the professional development day and received confirmation of exemption from the Principal.

Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation. **03.19**

Classified Personnel: At the direction of the Superintendent, the designated administrator shall develop and implement the Board-approved program of continuing staff development/training for all classified employees. **03.29**

District Training

Procedure **03.19 AP.23** may be used to track completion of local and state employee training requirements that apply across the District and maintain a record for the information of the Superintendent and Board.

Section**4**

Employee Conduct

FCPS Employee Code of Conduct

Each Fayette County Public Schools employee shall:

1. Report to work on time and prepared for duty.
2. Comply with directives and duties that are legal and safe.
3. Maintain safe and secure working and learning environments.
4. Demonstrate professionalism, respect, fairness, and dignity when interacting with students, parents, staff/co-workers, and community members.
5. Comply with federal laws, state statutes, and FCPS policies that prohibit conduct that could reasonably be construed as coercive, retaliating, harassing, intimidating, bullying, discriminating, or threatening.
6. Communicate truthfully and honestly and ensure that all records, disclosures or other communications are complete, fair, accurate, timely and understandable to the best of his or her knowledge.
7. Acquire, use, maintain, and dispose of district assets, including technology, in an ethical and responsible manner.
8. Maintain the confidentiality of information as required under federal laws, state statutes, and FCPS policies.
9. Use established protocols to intervene against and/or report actions, behaviors or safety concerns that may represent one or more violations of federal law, state statute, or FCPS policy.
10. Refrain from activities outside of the contract day that may reasonably limit and/or interfere with his or her ability to effectively perform duties as assigned.
11. Comply with all other federal laws, state statutes, and FCPS policies as well as established operational routines or procedures.

Absenteeism/Tardiness/Substitutes

Every employee is expected to notify his/her immediate supervisor when s/he must be tardy or absent. Staff in positions requiring substitutes must inform their immediate supervisor and contact Sub Placement Services no later than 24 hours (if possible) to request a substitute for the day.

Health, Safety and Security

It is the intent of the Board to provide a safe and healthy working environment for all employees. Employees should report any security hazard or conditions they believe to be unsafe to their immediate supervisor.

In addition, employees are required to notify their supervisor immediately after sustaining a work-related injury or accident. A report should be made within 24-48 hours of the occurrence and prior to leaving the work premises, UNLESS the injury is a medical emergency, in which case the report can be filed following receipt of emergency medical care. Any injury suffered while on the job must be reported to the Division of Risk Management and Safety.

The District shall follow established timelines in policy when making oral reports to the Kentucky Labor Cabinet to report employee fatalities, amputations, hospitalizations, including hospitalization resulting from a heart attack, or the loss of an eye.

File a Report	After Hours Hotline
(502)-564-3070	(800) 321-6742

For information on the District’s plans for Hazard Communication, Bloodborne Pathogen Control, Lockout/Tagout, Personal Protective Equipment (PPE), and Asbestos Management, contact your immediate supervisor or see the District’s *Policy Manual* and related procedures.

Employees should use their school/worksite two-way communication system to notify the Principal, supervisor or other administrator of an existing emergency. **03.14/03.24/05.4**

The Fayette County Public Schools is a system dedicated to equity and excellence in education, striving to provide a safe and healthy environment for all students, staff, and the public. Formal safety and health programs, procedures and training are conducted through the Office of Risk Management and Safety (381-3827). Any comments, questions or suggestions should be directed to the Office of Risk Management and Safety.

Hazardous Materials

When an employee is working in any capacity for the District and believes or has suspicion that the material s/he is working with contains a hazardous material such as asbestos, lead in paint, lead in soldering joints, or chemicals that the employee does not understand the safe handling or disposal needs, the employee shall contact the Risk Management and Safety Office at 381-3827, immediately. Also, the employee shall report the action to his/her immediate supervisor.

Under the OSHA 1910:1200 Standard entitled “HAZARD COMMUNICATION” employees have the right to know of the risks and hazards involved in performing their job. A formal Hazard Communication Program in compliance with the standard is in place. Employees who are required to use or handle chemicals (i.e., science programs, food service, custodians, maintenance, operations), are required to have training before use of the chemicals. Employees should contact their supervisor or the Office of Risk Management and Safety for further questions.

Employees shall follow this procedure whenever they feel there is a need to evaluate their safety as far as a hazardous material is concerned. When employees sign and return the acknowledgment on the last page of this handbook to the Department of Human Resources, that form reflects the requirements relating to hazardous materials.

Use of School Property

Employees are responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. No District property shall be removed or used outside of the District without prior authorization from the employee’s immediate supervisor. Employees shall immediately report to their immediate supervisor any property that is damaged, lost, stolen, or vandalized.

No employee shall perform personal services for themselves or for others for pay or profit during work time and/or by using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee’s immediate supervisor. **03.1321/03.2321**

Use of Personal Cellphones/Telecommunication Devices

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

For exceptions, see Board Policies **03.13214/03.23214**.

Delivery Systems and Bulletin Boards

In accordance with Board policy and procedure, school employee organizations are permitted to use the internal delivery service for distribution of items pertaining to the conduct of official school business. Distribution of items by organizations other than school groups or employee organizations shall not be made without prior approval of the Superintendent or designee.

Although personal mail shall not be distributed by the internal delivery service, employees may place personal mail in another employee's mailbox at any time.

Employee organizations may post notices of activities and matters of organization concern on employee bulletin boards, provided a file copy of the posted material is provided to the Principal or designee or the department supervisor. However, material endorsing or opposing a candidate for public office shall not be posted. **03.13215/03.23215**

Gifts

Any gift presented to a District employee for the use of the school system must have the prior approval of the Superintendent or designee. Any gift so approved and accepted on behalf of the school becomes the property of the Board of Education. **03.1322/03.2322**

Solicitations

Unless approved by the Board or Superintendent, sales representatives, agents, or other solicitors shall not solicit or interview pupils, teachers, or other employees during the school day.

District employees shall not use the advantage or status of their position for personal gain through soliciting or canvassing school patrons, pupils or fellow employees to whom they have supervisory or other professional obligations.

Unless required or allowed by the Open Records Law or other laws and regulations, no school employee shall provide to any outside group or individual a list of parents, students, teachers or other employees for solicitation or other purposes without the prior approval of the Board or the Superintendent. **03.1323/03.2323**

Political Activities

No District employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

1. Encouraging students to adopt or support a particular political position, party, or candidate; or

2. Using school property or materials to advance the support of a particular political position, party, or candidate. **03.1324/03.2324**

In addition, KRS 161.164 prohibits employees from taking part in the management of any political campaign for school board.

Employee Religious Expression

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion. **03.13241/03.23241**

Disrupting the Educational Process

Any employee who participates in or encourages activities that disrupt the educational process may be subject to disciplinary action up to, and including, termination.

Behavior that disrupts the educational process includes, but is not limited to:

- conduct that threatens the health, safety or welfare of others;
- conduct that may damage public or private property (including the property of students or staff);
- illegal activity;
- conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
- conduct that disrupts delivery of instructional services or interferes with or hinders the orderly administration of the school and school-related activities or District operations. **03.1325/03.2325**

Drug-Free/Alcohol-Free Schools

On or in the workplace or in the performance of duties, District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and

3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

Alcohol/Drug Testing

If a supervisor has reason to believe an employee is under the influence of or impaired by alcohol or drugs in the workplace, the supervisor may require the employee to undergo alcohol testing by a portable breathalyzer test administered by a FCPS Law Enforcement Officer and/or blood/urine test administered by a medical facility of the District's choice.

Refusal to submit to either such testing may be grounds for disciplinary action up to, and including, termination of employment. If test results confirm the employee was under the influence of alcohol or illegal drugs in the workplace, the employee shall be subject to disciplinary action up to, and including, termination, or may be referred to a treatment program of the District's choice.

If an employee remains employed after being disciplined for a drug related offense, the employee shall be required to submit to random and periodic drug testing by a facility selected by the Fayette County Public Schools. A refusal to submit to such testing may be grounds for additional disciplinary actions up to, and including, termination.

Employees who violate the terms of the District's drug-free/alcohol-free policy may be suspended, non-renewed or terminated. Violations may result in notification to appropriate legal officials.

Employees who know or have reason to believe that the District's alcohol-free/drug-free policies have been violated must promptly make a report to the Division of Law Enforcement, the local police department, sheriff, or Kentucky State Police.

Any employee convicted of any criminal drug statute involving illegal use of alcohol, illicit drugs, prescription drugs, or over-the-counter drugs shall, within five (5) working days after receiving notice of a conviction, provide notification of the conviction to the Superintendent.

Teachers are subject to random or periodic drug testing following reprimand or discipline for misconduct involving illegal use of controlled substances. **03.13251/03.23251**

Outside Employment or Activities

Employees may not perform any duties related to an outside job during their regular working hours. **03.1331/03.2331**

Staff Meetings

Unless they have been excused by the Principal/designee, all staff members are required to attend regularly scheduled faculty and departmental meetings. Advance notice shall be given for all meetings which concern routine school business. **03.1335**

Employee Meetings

With prior approval of the Principal, school employee groups may conduct meetings in school buildings after school has been dismissed for students. Meetings shall not interfere with or take precedence over normal workday responsibilities, shall be reasonable in length and frequency, and must be scheduled with the Principal in accordance with Board policy and administrative procedures. **05.3**

Tobacco, Alternative Nicotine Product, or Vapor Product

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by Board. **03.1327/03.2327/06.221**

Grievances

The Superintendent/designee has developed specific procedures to assist employees in sharing a concern. For full information refer to Policy **03.16/03.26** and related procedures.

Grievances are individual in nature and must be brought by the individual employee. The Board shall not hear grievances or complaints concerning simple disagreement or dissatisfaction with a personnel action. **03.16/03.26**

Fraud Prevention

All employees shall act with integrity and due diligence in matters involving District fiscal resources:

1. The District shall operate in a culture of honesty and ethical behavior with employees doing all within their power to further that goal.
2. Employees shall comply with all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, as well as Board policy addressing fiscal matters.

3. Employees shall practice good stewardship of District financial resources, including timely reporting of fraudulent expenditures.
4. Employees with financial/accounting responsibilities shall support and follow sound business practices to the best of their ability and in keeping with their assigned responsibilities and job-related training.

Employees who suspect that financial fraud, impropriety or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the Superintendent/designee. If the Superintendent is an alleged party in the fraud complaint, provision shall be made for addressing the complaint to the Board chairperson.

The term “fraud” refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relation to District assets, including theft of funds, securities, supplies, or other District properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentiality safeguards concerning financial information.
- Violating Board conflict of interest policies.
- Mishandling financial records or District assets (destroying, removing, or misusing). **04.41**

Weapons

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle, at any school-sponsored activity, or on the way to and from school is prohibited. Except for School Resource Officers (SROs) as provided in KRS 158.4414, and authorized law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, the Board prohibits carrying concealed weapons on school property. Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Employees who know or believe that the Board policy on weapons has been violated must promptly make a report to the Division of Law Enforcement, the local police department, sheriff, or Kentucky State Police. **05.48**

Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse for CDL/CLP Operators

Reporting of the following information on individual drivers to the federal Clearinghouse is required: verified positive, adulterated, or substituted test results; confirmed alcohol tests at .04 or higher; refusal to submit to required tests; the reporting of actual knowledge (as defined by federal regulation) of Department of Transportation (DOT) regulatory violations, including violations based on prohibited on duty, pre-duty, or post-accident alcohol use and controlled substance use; and regulatory return to duty and follow-up testing information as applicable.

The District shall not allow a driver to perform any safety-sensitive function if the results of a Clearinghouse query on the driver demonstrate a disqualification as provided by regulation and such driver may be subject to personnel action up to and including termination. **06.221**

Controversial Issues

Teachers who possess information which should cause suspicion that materials or a given issue may be inconsistent with provisions of Board policy shall confer with the Principal prior to the classroom use of the materials or discussion of the issue. If the Principal is in doubt, s/he shall confer with the Superintendent. **08.1353**

Copyrighted Materials

In keeping with Board policy and administrative procedure, employees must utilize copyrighted materials only for educational purposes and within the generally accepted uses delineated by applicable law. **08.2321**

Acceptable Use of Technology

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by Board policy and related procedures, which apply to all parties who use District technology.

Electronic media encompasses access to information through computer-based means. This may include local area networks, wide area networks, the Internet, electronic mail (e-mail), commercial online services, or private or government funded online services. Faculty and staff of schools and district personnel may only access the system if they have signed 08.2323 AP.21/District Acceptable Use Agreement Form, which will be kept on file at Human Resources. Violations of the Board's acceptable use policy or procedures or refusal to sign the required acceptable use documents may result in loss of access to school or District online communications. Additional penalties may be imposed against staff, including possible termination of employment. Employees should not expect files stored on District servers or through District provided or sponsored technology services, to be private.

Although employees are encouraged to use electronic mail and other District technology resources to promote student learning and communication with the home and education-related entities, such use shall be in keeping with requirements of Board policy and related procedures.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk. **08.2323**

Previewing Student Materials

Except for current events programs and programs provided by Kentucky Educational Television, teachers shall review all materials presented for student use or viewing before use. This includes movies and other videos in any format. **08.234**

Child Abuse

Any school personnel who knows or has reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral report to a local law enforcement agency, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney.

After making that oral 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 Superintendent/designee.

Upon notification, the Principal or the Superintendent/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.

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter. **09.227**

Any employee who fails to report to the Principal or building supervisor suspected abuse of a student shall be subject to disciplinary action up to, and including, termination. This requirement does not alter or amend the reporting requirements of KRS 620.030 of any person to report abused children to the appropriate law enforcement agency. **03.162/03.262**

Use of Physical Restraint and Seclusion

Use of physical restraint and seclusion shall be in accordance with Board policy and procedure. **09.2212**

Automated External Defibrillators (AEDs)

The District shall maintain AEDs in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with procedures established by the Superintendent/designee. Expected users documented as having completed required training shall be authorized to use a defibrillator. **05.4**

Assaults and Threats of Violence

Employees should immediately report any threats they receive (oral, written or electronic) to their immediate supervisor.

Under provisions of state law (KRS 158.150) and regulation (702 KAR 5:080), school personnel may remove threatening or violent students from a classroom or from the District's transportation system pending further disciplinary action. However, before the need arises, employees should familiarize themselves with policy and procedures that are required. **09.425**

Civility

Employees should be polite and helpful while interacting with parents, visitors and members of the public. Individuals who come onto District property or contact employees on school business are expected to behave accordingly. Employees who fail to observe appropriate standards of behavior are subject to disciplinary measures up to, and including, dismissal.

In cases involving a physical attack of an employee or immediate threat of harm, employees should take immediate action to protect themselves and others. In the absence of an immediate threat, employees should attempt to calmly and politely inform the individual of the civility expectations of the District or provide him/her with a copy of policy 10.21. If the individual continues to be discourteous, the employee may respond as needed, including, but not limited to: hanging up on the caller; ending a meeting; asking the individual to leave the school; calling the site administrator/designee for assistance; and/or calling the Division of Law Enforcement or the police.

As soon as possible after any an incident of incivility, employees should submit a written summary of the occurrence to their immediate supervisor. **10.21**

Required Reports

Although you may be directed to make additional reports, the following reports are required by law and/or Board policy:

- Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner. **01.61**
- An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.11/03.21**
- Report to the immediate supervisor damaged, lost, stolen, or vandalized school property or if District property has been used for unauthorized purposes. **03.1321/03.2321**
- Notify the Principal as soon as possible when you use seclusion or physical restraint with a student, but no later than the end of the school day on which it occurs, and document in writing the incident by the end of the next school day. **09.2212**
- If you know or believe that the District's alcohol-free/drug-free policies have been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required if you know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **03.13251/03.23251/09.423**
- Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse. **03.13253/03.23253/09.425**

- Report potential safety or security hazards to your immediate supervisor and notify the Division of Risk Management and Safety immediately after sustaining a work-related injury or accident. **05.4**
- Report to the Principal/immediate supervisor or the District's Title IX/Equity Coordinator if you, another employee, a student, or a visitor to the school or District is being or has been subjected to harassment or discrimination. **03.162/03.262, 09.42811**

- Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.221, notification of state officials shall be made as required by law. **03.1621/03.2621/09.428111**
- If you suspect that financial fraud, impropriety or irregularity has occurred, immediately report those suspicions to Principal or the Superintendent. If the Superintendent is the alleged party, employees should address the complaint to the Board chairperson. **04.41**
- Report to the Principal any student who is missing during or after a fire/tornado/ bomb threat drill or evacuation. **05.41/05.43**
- When notified of a bomb threat, scan the area noting any items that appear to be out of place, and report same to Principal/designee. **05.43**
- If you know or believe that the District's weapon policy has been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required when you know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **05.48**
- District bus drivers taking medication either by prescription or without prescription shall report to their immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities. **06.221**
- District employees who know or have reasonable cause to believe that a student has been the victim of a violation of any felony offense specified in KRS Chapter 508 (assault and related offenses) committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim.

The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in such an incident.

Within forty-eight (48) hours of the original report of the incident, the Principal also shall file with the Board and the local law enforcement agency or the Department of Kentucky State Police or the County Attorney a written report containing the statutorily required information. **09.2211**

- If you know or have reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, you shall **immediately** make an oral report to a local law enforcement agency or Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney, and then make a report to the Principal. (See **Child Abuse** section.) **09.227**

In a case of human trafficking, an employee shall also immediately report such a concern to the National Human Trafficking Hotline at 1-888-373-7888.

- District employees shall report to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board Policy **09.42811**.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy **09.2211**; and
 2. Investigate and complete documentation as required by Policy **09.42811** covering federally protected areas. **09.422**
- Report to the Principal any threats you receive (oral, written or electronic). **09.425**

Code of Ethics for Certified School Personnel

SOURCE: 16 KAR 1:020

Section 1. Certified personnel in the Commonwealth:

- (1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession:
 - (a) To students:
 1. Shall provide students with professional education services in a nondiscriminatory manner and in consonance with accepted best practice known to the educator;
 2. Shall respect the constitutional rights of all students;
 3. Shall take reasonable measures to protect the health, safety, and emotional well-being of students;
 4. Shall not use professional relationships or authority with students for personal advantage;
 5. Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
 6. Shall not knowingly make false or malicious statements about students or colleagues;
 7. Shall refrain from subjecting students to embarrassment or disparagement; and
 8. Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.
 - (b) To parents:
 1. Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student;
 2. Shall endeavor to understand community cultures and diverse home environments of students;
 3. Shall not knowingly distort or misrepresent facts concerning educational issues;
 4. Shall distinguish between personal views and the views of the employing educational agency;
 5. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others;
 6. Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities; and
 7. Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

(c) To the education profession:

1. Shall exemplify behaviors which maintain the dignity and integrity of the profession;
2. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law;
4. Shall not use coercive means or give special treatment in order to influence professional decisions;
5. Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications; and
6. Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

Section 2. Violation of this administrative regulation may result in cause to initiate proceedings for revocation or suspension of Kentucky certification as provided in KRS 161.120 and 704 KAR 20:585.

Rights and Responsibilities

Teachers

Teachers have the right to:

1. Expect all students to complete class assignments, including homework assignments;
2. Work in an educational environment with a minimum of disruptions;
3. Have the support of the school Principal, subject area coordinators, and administrators;
4. Expect the Principal, through proper disciplinary procedures, to remove any student whose behavior disrupts learning or who violates the *Student Code of Conduct*.
5. Enjoy freedom from verbal abuse and safety from physical harm insofar as it is humanly possible to assure;
6. Participate in the formulation of school policies;
7. Take prudent action in emergencies to protect their own person and all persons in their care;
8. Have due process as provided for by law;
9. Have an evaluation on a regular and continuing basis, including constructive counseling to improve performance;
10. Participate in decisions concerning staff inservice training to improve professional performance;
11. Have a personal life and privacy outside of school, providing this does not interfere with job performance;

12. Participate in regular faculty meetings with the principal(s);
13. Have adequate facilities and supplies needed for the educational program within available resources and report deficiencies when they exist;
14. Experiment with and institute innovations in school programs and procedures with Board of Education, SBDM council, and administrative approval and community involvement, and apply for exceptions to the school program as provided for in Board policies when indicated for good cause;
15. Obtain information promptly concerning any changes in job or job performance (i.e., scheduling, daily routine);
16. Receive adequate compensation within available resources;
17. Expect that all Constitutional rights will be respected;
18. Be treated with courtesy and respect by the Board of Education, school administrators, students, and parents.

Teachers have the responsibility to:

1. Maintain a positive, professional attitude, and behavior toward all students, parents, administrators, other teachers, SBDM councils, and the Board of Education;
2. Possess a thorough knowledge of subject matter and understand the cultural as well as the practical values of that knowledge;
3. Maintain ongoing professional development and employ an understanding of human growth and development;
4. Implement the approved curriculum by developing instructional activities that meet students' academic needs;
5. Refer students with possible special problems to the appropriate resources (i.e., speech therapist, social worker, special education, etc.) and notify parents of such referrals;
6. Maintain a classroom atmosphere conducive to learning, with mutual respect, trust, and appropriate discipline;
7. Deal firmly, promptly, and consistently with disruptions or violations of Board and SBDM council policy, the *Student Code of Conduct*, and school procedures. If necessary, enlist the support of administrators;
8. Inform parents of students' successes, problems, or failures in learning behavior;
9. Evaluate students' assignments, returning them as soon as possible, maintaining necessary records of student progress and attendance;
10. Reply promptly with respect and courtesy to inquiries and suggestions from parents and administrators;

11. Following the policies, regulations, and standards adopted by the Board of Education/administration and the SBDM council and work appropriately where change is desired;
12. Explain specific rights and responsibilities as described in the adopted *Statement on Rights and Responsibilities and Student Code of Conduct*, as well as school and classroom procedures;
13. Help students to master the basic skills; develop positive self-concepts, self-respect, and self-confidence in order to respect the worth and dignity of others; clarify their values; and make choices that lead to responsible citizenship;
14. Be role models of responsible citizenship;
15. Provide adequate supervision for assigned students and inform the Principal's office or colleague if absent from assignment;
16. Devote the full academic day to providing instruction, guidance, and supervision, and use the planning period for the benefit of the school, student, teacher, or for professional planning and development;
17. Be involved to a reasonable degree in P.T.S.A. activities or other school/community activities that enhance the welfare of students and the profession in general;
18. Provide students with the method of grading used in each course at the beginning of the course;
19. Participate in the formulation of school policies;
20. Provide, if possible, continuity of teaching experiences for students in their care during the regular teacher's absence;
21. Provide students with the objectives, a brief summary of content, and requirements of each course at the beginning of the course;
22. Provide information, upon request of a student or parent, about the student's progress in academic achievement and conduct during the course;
23. Attend regular meetings with the principal(s).

Principal and Administrators

Principals and administrators have the right to:

1. Have a complete written description of professional duties and current responsibilities;
2. Have a full and impartial evaluation of performance on a regular and continuing basis, by both superiors and those he/she supervises;
3. Obtain constructive counseling in order to improve performance;
4. Participate in administrative staff inservice training to improve professional performance;
5. Receive adequate compensation within available resources;

6. Participate in the formulation of administrative policy;
7. Have sufficient and proper staff, facilities, and supplies needed for the educational program within available resources;
8. Expect staff members to comply with policies and directions;
9. Experiment with and institute innovations in school programs and procedures with faculty and community involvement, with Board approval, and request exceptions to Board policies when indicated for good cause;
10. Have due process as provided for by law;
11. Have competent administrative superiors;
12. Have a personal life and privacy outside of the school, providing this does not interfere with job performance;
13. Meet with other principals and administrators, the SBDM council, and the Board of Education in order to make suggestions and also critique problems in policies affecting job assignments;
14. Deal appropriately under Board policies with any student whose conduct disrupts the learning of others or violates SBDM council policies or the Student Code of Conduct;
15. Expect and receive adequate support from the Board of Education and administrative superiors in administering the school.

Principals and administrators have the responsibility to:

1. Create and maintain, with the help of the staff, a positive learning environment with appropriate discipline according to the approved Code and local Board and SBDM council policies;
2. Carry out a program of continuing supervision in the school with impartial evaluations (this should be both directions - student to teacher to Principal/administrator and vice versa);
3. Provide or make available to the staff constructive counseling on job performance;
4. Facilitate inservice training for the staff;
5. Provide fair, consistent, and prompt resolution of grievances;
6. Create and maintain a cooperative school climate, including shared decision making where feasible with those affected (i.e., teachers, parents, and students) in matters of discipline, curriculum, and administration;
7. Follow job description and Board and SBDM council policies and seek guidance when appropriate;
8. Recommend, when practical, promotion of staff members, and assign fairly (with certification and competence and after appropriate consultation) so that they best serve the overall learning environment;

9. Support teachers, bus drivers, and other employees firmly in any conflict or controversy when they are properly carrying out policies of the Board or the school;
10. Give prompt and responsible feedback to administrators;
11. Use available resources to grow professionally;
12. Keep superiors properly informed so that staff, facilities, and supplies are adequate within available resources;
13. Be a role model of responsible citizenship;
14. Protect individual rights, as well as the rights of students, parents, and staff as a whole;
15. Interpret the needs of the school to the administration, Board, and public and the policies of the administration, SBDM council, and Board to students, parents, and teachers;
16. Meaningfully involve parents and students in a cooperative shaping of the school program and environment, including, but not limited to, P.T.S.A., student government, etc.
17. Provide assistance to teachers in connection with serious discipline problems and inform teachers of administrative disciplinary action taken with students;
18. Be available for conferences with staff, students, parents, and others on discipline matters;
19. Recommend for dismissal incompetent staff members;
20. Enforce policies of the Board of Education;
21. Assist teachers in planning instructional activities to implement the approved curriculum.

Frequently Asked Questions

Flexible Scheduling - Classified Employees

Q1. During the winter break, I was contacted by my supervisor and told to report to work to ensure that the building systems were functioning and to prevent possible damage to the facility. When I turned my timesheet in, I put eight (8) hours for my “X” day and four (4) hours for the time I spent working. Is this the correct way to complete my timesheet?

A1. No. The correct way to report that day would be 4 hours “X” day and four (4) hours work. You would note on your sheet that you have banked four (4) hours of “X” leave. *An hour is either worked or it is leave. It is never both.*

Q 2. Tax collection reaches a peak during spring break. To close the tax office during that week would be a major inconvenience for the taxpayers and possibly cause the district to lose tax revenue. Therefore, the Associate Director for Tax Collection with the approval of the Director of Financial Services required that all tax office employees report to work that week. Does that mean that the tax office employees do not get a spring break?

A2. No. The supervisor must allow the tax office employees to schedule their break at another time of the year but no later than 6 months after the end of the fiscal year. *If an employee is scheduled to work on an “X” day or holiday, the employee may reschedule the leave at a later time.*

Q 3. Who pays the cost of rescheduling staff?

A3. The school or department that authorized the rescheduling. However, if a flexible schedule is used, there should be no additional cost.

Q 4. I normally work eight (8) hours per day Monday through Friday. Last week Tuesday was a holiday but my supervisor made me report to work. I get paid for 48 hours of which eight (8) are overtime, right?

A4. No to both. You get paid for 40 hours straight time and you have banked a holiday. *Leave can never be added to hours worked to cause the total to exceed the normal workweek for the employee.*

Q 5. My supervisor and I have agreed that I can work four (4) 10-hour days during the summer. How do I handle the following:

Sick Day? Emergency Day? Personal Day? Vacation Day? Holiday? “X” Day?

A5. During this period sick, emergency, personal and vacation may be taken in the number of hours needed to report a full week’s schedule. Holidays and “X” days are a fixed number of hours (usually 8) and additional vacation or personal hours may be taken to make up the normal hours worked.

Acknowledgement Form

2023-2024 School Year

I, _____, have received a copy
Employee's name

of the Employee Handbook issued by the District, and understand and agree that I am to review this handbook in detail and to consult District and school policies and procedures with my Principal/supervisor if I have any questions concerning its contents.

I understand and agree:

1. that this handbook is intended as a general guide to District personnel policies and that it is not intended to create any sort of contract between the District and any one or all of its employees;
2. that the District may modify any or all of these policies, in whole or in part, at any time, with or without prior notice; and
3. that in the event the District modifies any of the policies contained in this handbook, the changes will become binding on me immediately upon issuance of the new policy by the District.

I understand that as an employee of the District I am required to review and follow the policies set forth in this Employee Handbook and I agree to do so.

Employee's name (please print)

Signature of Employee

Date

Return this signed form to the District Office.