

One Community; One Vision: Life Ready
Where Every Student Matters

CLARK COUNTY PUBLIC SCHOOLS

1600 West Lexington Avenue

Winchester, Kentucky 40391

Phone 859.744.4545 Fax 859.744.4005

www.clarkschools.net

2019 - 2020 Employee Handbook

Revised, 2019

CLARK COUNTY SCHOOLS

2019 - 2020 Employee Handbook

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Clark County Board of Education
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Phone 859.744.4545 • Fax 859.745.3935
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Clark County Public Schools does not discriminate on the basis of race, color, national or ethnic origin, religion, sex, genetic information, disability, marital status, age or limitations related to pregnancy, childbirth, or related medical conditions, in employment, educational programs, and activities as set forth in Title IX and VI, and in Section 504. Clark County Public Schools provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies and will forward inquiries to the appropriate coordinator:

Scarlett Ryan, Director of Human Resources
Clark County Public Schools
1600 West Lexington Avenue
Winchester, KY 40391
859-744-4545

Table of Contents

Table of Contents	i
Introduction	1
WELCOME	1
DISTRICT VISION	2
DISTRICT MISSION	2
BELIEF STATEMENTS	2
FUTURE POLICY CHANGES	2
CENTRAL OFFICE ADMINISTRATORS	3
SCHOOL ADMINISTRATORS	4
General Terms of Employment	5
EQUAL OPPORTUNITY EMPLOYMENT	5
HARASSMENT/DISCRIMINATION	5
EMPLOYMENT CATEGORIES	6
HIRING	7
TRANSFER OF TENURE	7
JOB RESPONSIBILITIES	7
CRIMINAL BACKGROUND CHECK AND TESTING	8
REQUIRED ONLINE TRAININGS	8
CONFIDENTIALITY	8
INFORMATION SECURITY BREACH	8
SALARIES AND PAYROLL DISTRIBUTION	9
SCHOOL CALENDAR AND HOURS OF DUTY	9
SUPERVISION RESPONSIBILITIES	10
BULLYING	10
Benefits and Leave	11
INSURANCE	11
SALARY DEDUCTIONS	11
EXPENSE REIMBURSEMENT	12
HOLIDAYS	13
VACATIONS	13
LEAVE POLICIES	13
PERSONAL LEAVE	14
SICK LEAVE	14
SICK LEAVE DONATION PROGRAM	15
FAMILY AND MEDICAL LEAVE	16

FML BASIC LEAVE ENTITLEMENT	18
MATERNITY LEAVE	19
EXTENDED DISABILITY LEAVE	19
EDUCATIONAL LEAVE	20
EMERGENCY LEAVE	20
JURY LEAVE	20
MILITARY/DISASTER SERVICES LEAVE	21
UNPAID LEAVE	21
Personnel Management	22
TRANSFER	22
PROMOTION	22
TERMINATION/RESIGNATION	22
RETIREMENT	23
EVALUATIONS	23
TRAINING/IN-SERVICE	23
PROFESSIONAL MEETINGS	24
PERSONNEL RECORDS	24
RETENTION OF RECORDINGS	24
Employee Conduct	25
ABSENTEEISM/TARDINESS/SUBSTITUTES	25
SUBSTITUTE TEACHER PLANS	25
STAFF MEETINGS	25
POLITICAL ACTIVITIES	26
EMERGENCY CLOSINGS	26
DISRUPTING THE EDUCATIONAL PROCESS	26
PREVIEWING STUDENT MATERIALS	27
CONTROVERSIAL ISSUES	27
DRUG-FREE/ALCOHOL-FREE SCHOOLS	27
WEAPONS	28
TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS	28
USE OF SCHOOL PROPERTY	28
USE OF PERSONAL CELL PHONES/TELECOMMUNICATION DEVICES	29
HEALTH, SAFETY AND SECURITY	29
CUSTODIAL SUPPORT	30
WORKERS' COMPENSATION	30
ASSAULTS AND THREATS OF VIOLENCE	30
CHILD ABUSE	31
USE OF PHYSICAL RESTRAINT AND SECLUSION	31
CIVILITY	31
GRIEVANCES/COMMUNICATIONS	32
GIFTS	32

OUTSIDE EMPLOYMENT OR ACTIVITIES	32
REQUIRED REPORTS	33
CODE OF ETHICS FOR CERTIFIED SCHOOL PERSONNEL	36
Appendix	38
GRIEVANCE PROCEDURE 03.16 AP.1	38
GRIEVANCE PROCEDURE 03.16 AP.2	40
Acknowledgement Form	41

Introduction

Welcome

Welcome to our team of dedicated support staff and teachers who provide an effective educational environment using proven instructional and developmental processes to pursue our District Mission.

Producing educated students requires staff who feel responsible for supporting teachers and teachers who feel responsible for students. The citizens of Clark County expect our schools to operate with a cohesive staff and teacher team, so we are pleased that you have chosen to spend your time and energy contributing to the mission of Clark County Schools at this point in your career.

The purpose of the handbook is to acquaint you with general Board of Education policies that govern and affect your employment and to outline the benefits available to you as an employee of the District. If you have questions about information provided in this handbook, please check with your Principal/immediate supervisor.

Because this handbook is a general source of information, it is not intended to be, and should not be interpreted as, a contract. It is **not** an all-encompassing document and may not cover every possible situation or unusual circumstance. If a conflict exists between information in this handbook and Board policy or administrative procedures, Board policies and administrative procedures govern. It is the employee's responsibility to refer to the actual policies and/or administrative procedures for further information. Complete copies of those documents are available at the Central Office and on the District's web site. Policies and procedures also are available online via the District's web site or through this Internet address:

<http://policy.ksba.org/C12/>

Any employee is free to review official policies and procedures and is expected to be familiar with those related to his/her job responsibilities. Employees and students who fail to comply with Board policies may be subject to disciplinary action.**01.5**

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

In this handbook, **bolded policy codes** indicate related Board of Education policies. If an employee has questions, s/he should contact his/her immediate supervisor or the Central Office.

District Vision

CLARK COUNTY SCHOOLS
ONE COMMUNITY; ONE VISION:
LIFE READY
Where Every Student Matters

District Mission

We join with our community to address the individual needs of students in a safe, caring environment so they are prepared for college, careers, and life.

Belief Statements

The Clark County Public School District believes:

- Excellence is achieved by meeting needs of all students.
- Mutual cooperation between schools and community is necessary to meet the needs of all students.
- The faculty can achieve quality instruction and academic excellence when they work together.
- Poverty will not be an obstacle to excellence.
- All children will develop a respect for themselves as well as others.

Future Policy Changes

Although every effort will be made to update the handbook on a timely basis, the Clark 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 may be required by contractual agreements and law. The District reserves the right, and has the sole discretion, to modify or change any portion of this handbook at any time.

Central Office Administrators

The Board of Education is elected by the citizens of Clark County to be the policy-making body for the Clark County Schools. The Superintendent is hired by and reports to the Board of Education. Reporting to the Superintendent are all principals, as well as Central Office administrators listed below.

Address and Telephone # for All Central Office Personnel	
1600 West Lexington Avenue, Winchester, KY 40391 (859) 744-4545	
Contact	E-mail
Superintendent Paul Christy	Paul.Christy@clark.kyschools.us
Chief Academic Officer/Assistant Superintendent Brenda Considine	Brenda.Considine@clark.kyschools.us
Administrative Director of Student Accounting, Support Services and Administration Greg Hollon	Greg.Hollon@clark.kyschools.us
Administrative Director of Operations, Transportation and School Safety (Title IX Director) Donald Stump	Donald.Stump@clark.kyschools.us
Administrative Director of Exceptional Children Services, Preschool and Mental Health Services (504 Coordinator) Bridgette Mann	Bridgette.Mann@clark.kyschools.us
Director of Finance Aleisha Ellis	Aleisha.Ellis@clark.kyschools.us
Director of Human Resources Scarlett Ryan	Scarlett.Ryan@clark.kyschools.us

School Administrators

Contact	E-mail
Clark County Preschool 859-744-1722 Principal, Kara Davies	Kara.Davies@clark.kyschools.us
George Rogers Clark High School 859-744-6111 Principal, David Bolen	David.Bolen@clark.kyschools.us
Phoenix Academy 859-744-4618 Principal, David Bolen	David.Bolen@clark.kyschools.us
Rev. Henry E. Baker Intermediate School 859-745-5190 Principal, Josh Mounts	Josh.Mounts@clark.kyschools.us
Robert D. Campbell Junior High School 859-745-5220 Principal, Dustin Howard	Dustin.Howard@clark.kyschools.us
Shearer Elementary School 859-744-4978 Principal, Kevin C. Kennedy	Kevin.Kennedy@clark.kyschools.us
Strode Station Elementary School 859-745-3915 Principal, Ruthann Sharrock	Ruthann.Sharrock@clark.kyschools.us
William G. Conkwright Elementary School 859-745-8900 Principal, Julie Bonfield	Julie.Bonfield@clark.kyschools.us
Willis H. Justice Elementary School 859-745-8800 Principal, Susan Hillman	Susan.Hillman@clark.kyschools.us

Section

1

General Terms of Employment

Equal Opportunity Employment

The Clark County Board of Education is an Equal Opportunity Employer. The District does not discriminate on the basis of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.

Reasonable accommodation for individuals with disabilities will be made 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 federal or state legal requirements that apply, then sex, age or disability may be taken into account as a bona fide occupational qualification, provided such consideration is consistent with governing law.

If you have questions concerning District compliance with state and federal equal opportunity employment laws, contact the Director of Human Resource at the Board of Education's Central Office. **03.113/03.212**

Harassment/Discrimination

The Clark 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, Director of Human Resources, 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. 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. **03.162/03.262**

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

<u>Donald Stump</u> <i>Title IX Director</i>	<u>1600 West Lexington Avenue, Winchester</u> <i>Address</i>	<u>(859) 744-4545</u> <i>Telephone</i>
<u>Bridgette Mann</u> <i>504 Coordinator</i>	<u>1600 West Lexington Avenue, Winchester</u> <i>Address</i>	<u>(859) 744-2762</u> <i>Telephone</i>

01.1

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.

<https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer>

07.1

Employment Categories

Certified personnel are those employees holding positions for which Kentucky teacher certification is required. **03.1**

Classified employees occupy positions that require the incumbent to meet education and experience requirements relative to the performance of the duties and responsibilities of the job. However, classified positions do not require teacher certification. **03.2**

Classified personnel are considered to be a regular, full-time employee if they are scheduled to work four (4) hours or more per day for the school year.

The work schedule for classified employees hired on a temporary or substitute basis will depend on the availability of work to be done or if the duties are to be performed for a shorter period. Regular employees who obtain a summer job with the District will be considered temporary while working during the summer. There are no fringe benefits accruing for temporary or substitute employees.

Classified personnel will be asked to sign a Working Agreement each year designating the position category and pay rate.

Hiring

A list of all District job openings is available at the Central Office.

Except for noncontracted substitute teachers, all certified personnel are required to sign a written contract with the District. All regular full-time and part-time classified employees also shall receive a contract.

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

At some point during the school year, the Superintendent/designee will notify employees inquiring about their employment intentions for the following school year.

Transfer of Tenure

All teachers who have attained continuing contract status from another Kentucky district serve a one (1)-year probationary period before being considered for continuing-contract status in the District. **03.115**

Job Responsibilities

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

The current District Organizational Chart can be found at:

clark.kyschools.us/District_Docs/orgchart.pdf

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. **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.

Criminal Background Check and Testing

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

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 a substantiated finding of child abuse or neglect in records maintained by the Cabinet.

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**

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>

Required Online Trainings

Upon hire and periodically throughout the school year, employees will be notified via email of required online trainings. These trainings are always available at:

clark.ky.safeschools.com/login.

Employee login is the email address.

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.

Employees may only access student record information in which they have a legitimate educational interest. **03.111/03.211/09.14/ 09.213/ 09.43**

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**

Salaries and Payroll Distribution

It is the responsibility of new employees to complete paperwork required for payroll and fringe benefit purposes. Paychecks cannot be issued until that process is under way. New employees should contact Human Resources for assistance.

Checks are issued according to a schedule approved annually by the Board. **03.121/03.221**

Certified Personnel: 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.

Determination of and changes to certified employees' rank and experience are determined in compliance with Policy **03.121**. The Superintendent will notify certified personnel of the best estimate of their salary for the coming year in accordance with law.

Changes in certified personnel's rank and experience shall be determined on September 15 of each year. Candidates for National Board certification must notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

Classified Personnel: Salaries for classified personnel are based on position qualifications and the number of eligible years of related experience that can be verified in writing with previous employers, which is required within 30 days of the first day of work.

Classified personnel may be paid on an hourly or salary basis, according to salary schedules and wage scales prepared by the Superintendent and approved by the Board. **03.221**

School Calendar and Hours of Duty

Teachers shall personally sign in and out each day. Teachers shall be on duty for a minimum of 7½ hours daily. Each full-time teacher is provided with a duty-free lunch period each day during the regularly scheduled student lunch period.

The work schedule for classified personnel is determined by the Principal or Director and is specified in the individual employee's contract. The workweek for hourly (non-exempt) classified employees shall not exceed forty (40) hours per week, unless overtime is authorized by the immediate supervisor. **03.221**

Employees are not allowed to leave their job assignment during duty hours without the express permission of their immediate supervisor. **03.1332/03.2332**

The 2019-2020 school calendar is available at the District website:

www.clarkschools.net

Select the “District Links” dropdown tab.

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.

No employee shall send a student on an errand off school property. In addition, students are not to be used for continual custodial work 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/ 09.422/09.42811**

Bullying

"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. **09.422**

Benefits and Leave

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.

Personnel are required to enroll for health insurance as a new employee and to re-enroll annually thereafter during the designated "open enrollment" period. **03.124/03.224**

Salary Deductions

The District makes all payroll deductions required by law. Employees may choose from the following optional payroll deductions:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan(s);
4. Board approved credit union;
5. United Way;
6. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
7. Board approved insurance plans specified under the Board approved Cafeteria Plan. (See **Policies 03.1213/03.2212.**); and
8. Membership dues for professional teachers', administrators', supervisors' or other job-related organizations when thirty percent (30%) or more eligible members request the deduction.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer. **03.1211/03.2211**

Expense Reimbursement

In fiscal matters related to travel and professional development as described under 200 KAR2:006 reimbursements for travel policy for the Commonwealth of Kentucky Finance and Administration Cabinet, Clark County Public Schools (CCPS) mirrors state travel policies where applicable to comply with this policy and the auditor of public accounts' best practice recommendations for public and nonprofit boards.

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses school personnel are reimbursed for travel that is required as part of their duties or for school-related activities approved by the Superintendent/designee. Allowable expenses include mileage, gasoline used for Board vehicles, car rental, fares charged for travel on common carriers (plane, bus, etc.), food (as authorized by policy and/or procedure), and lodging.

Employees must submit travel vouchers within thirty (30) days minimum of travel or ninety (90) days maximum if total travel reimbursement request is under \$10.00. If forms are submitted with more than ninety (90) days of information, then they will be denied for reimbursement. The Superintendent/designee reserves the right to deny any claim deemed incomplete, inappropriate for reimbursement, or does not contain proper documentation. Should employees receive reimbursement based on incomplete or improper documentation, they may be required to reimburse the District. **03.125/03.225**

General information

- A. **Reimbursable expenses:** All travel must meet all three criteria of being reasonable, allocable and allowable. For professional leave, only travel-related expenses for transportation (including baggage fees), lodging, and/or registration are eligible for reimbursement. Original receipts are required for reimbursement of all expenses, regardless of the amount, except for meals, which are paid according to established per diem rates (Policy 03.125/03.225). Travelers may be reimbursed for eligible expenses only if the professional leave was approved by the Superintendent/designee. Travel expense accounts are open to the public and must be able to sustain the test of public review. Additionally, reimbursements may only be requested after the traveler has returned from professional leave.

- B. **Non-reimbursable expenses:** Personal expenses such as alcoholic beverages, toiletries, clothing and entertainment are not eligible for reimbursement. The costs of meals are not eligible for reimbursement unless an overnight stay is required while traveling. Valet parking or resort fees are not eligible for reimbursement unless no other option is available.

- C. **Good steward practice:** Travelers shall use the most economical, standard transportation available when traveling and the most direct and usually traveled routes. If a trip is within four hours travel time, then the traveler shall drive and be reimbursed for mileage. Any trip over four hours may have the option of flying. However, if a traveler chooses to drive for any travel time over four hours, reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is the lesser amount.
- D. **Personal travel added to business travel:** Expenses associated with excursions or “side trips” taken while on professional leave shall be paid by the traveler. Prior to taking the professional leave, the traveler must document the costs related to excursions or side trips by comparing the cost of travel with and without the excursion or side trip. This documentation must be attached to the Travel Reimbursement Request. If the traveler did not obtain written documentation of the cost, the traveler may be ineligible for reimbursement or required to pay the district the cost of the trip.

Holidays

Full-time employees are granted four (4) paid holidays as designated in the school calendar. Employees who have a base contract of 220 to 239 days are granted two (2) additional paid holidays to include Memorial Day and Independence Day. Employees who have a base contract of 240 or more days are granted four (4) additional paid holidays to include Memorial Day, Independence Day, Christmas Eve, and New Year’s Eve.
03.122/03.222

Vacations

Classified personnel employed for 260 days shall be eligible for ten (10) days of vacation with pay each school year. Use of vacation days must be approved in advance by the Superintendent or designee. Unused vacation days shall not accumulate. **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. Employees who must be absent should inform their immediate supervisor as soon as possible. Additionally, employees must input requested leave into the *Frontline* Absence Management Program.

When circumstances dictate, the Board provides various types of leave under which absences may be authorized. Listed below is general information regarding several types of leave available to employees. Please note that in many cases a written request, submitted for approval before leave begins, is required.

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

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

Eligible employees are granted one (1) day of personal leave per year beginning with their date of hire.

Certified: Certified employees who have been employed by the District for at least four (4) years or have attained continuing contract (tenured) status are granted two (2) days of personal leave with pay each school year.

Classified: Employees who have been employed by the District for at least four (4) years are granted two (2) days of personal leave with pay each school year.

Personal leave must be taken in increments of no less than ½ day. Supervisors must approve the leave date, but no reasons will be required for the leave. Employees taking personal leave must file a personal affidavit on their return to work stating that the leave was personal in nature. Other limitations are set out in Policy. **03.1231/03.2231**

Sick Leave

Full-time certified employees shall be entitled to sick leave with pay each school year based on days scheduled to work as follows:

<u>Days Scheduled to Work Annually</u>	<u>Sick Leave Days Granted</u>
181-199	10
200-229	11
230-260	12

Full-time classified employees shall be entitled to sick leave with pay each school year based on days scheduled to work as follows:

<u>Days Scheduled to Work Annually</u>	<u>Sick Leave Days Granted</u>
181-199	10
200-229	11
230-260	12

Eligible part-time classified employees or classified employees who work for less than a full year are entitled to a prorata part of the authorized sick leave days.

Sick leave shall be taken in no less than half-day increments.

Sick leave days not taken during the school year they were granted accumulate without limit for all employees. Upon return to work an employee claiming sick leave must file a personal affidavit 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.

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy. Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents without reference to the location or residence of said relative and any other blood relative who resides in the employee's home. **03.1232/03.2232**

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

Sick Leave Donation Program

Employees may request to donate sick leave days to another employee authorized to receive the donation, in keeping with Board Policy, administrative procedure, and the following guidelines:

- The sick leave balance of the donating employee can be no less than 15 days after the donation is made.
- The recipient employee is eligible for the donation only when s/he exhausts paid sick leave and/or workers' compensation benefits.
- A written *Statement of Physician* or equivalent must be presented to Human Resources in Central Office.
- The donating employee must complete a *Request to Donate Sick Leave* form, which is available in the office of your Principal or Director.
- Upon approval of the donation, Human Resources will notify payroll.
- Employees may not disrupt the workplace while asking for donations.
- Caution: Employees are not obligated to donate in the event they are asked. If there are questions, employees should check with their Director or Principal.
- The decision on whether a person meets the requirements of the Sick Leave Donation Program will, in most cases, be made by the Director of Human Resources and a committee.

Any sick leave that remains unused, is not needed by a teacher or employee, and will not be needed in the future, shall be returned to the teacher or employee donating the sick leave.
03.1232/03.2232

Family and Medical Leave

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year (July 1-June 30), if they have been employed by the District for at least one (1) year, worked 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. (Serious health condition is one requiring inpatient care and/or continuing treatment by a health care provider during a period of incapacity.);
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.

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

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. When the health condition of an employee or family member qualifies for the use of paid leave, employees must use all available emergency leave, personal leave, and sick leave before being eligible for unpaid FMLA, except that they may request reserving ten (10) days of sick leave. Unpaid FMLA begins when sick leave is exhausted.

BENEFITS AND LEAVE

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave. **03.12322/03.22322**

Following is a summary of the major provisions of the Family and Medical Leave Act (FMLA) provided by 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.

Maternity Leave

Employees may use up to thirty (30) days of sick leave for the following purposes:

- Immediately following childbirth and recovery from childbirth
- Immediately following adoption of a child or children
- Serious illness of the newborn or newly adopted child or children

Employees should request maternity leave as soon as they are aware of the need, but no later than thirty (30) days prior to delivery. The request should include the estimated date of delivery and the anticipated date of return to work.

Employees may request additional unpaid leave of absence not to exceed the remainder of the school year.

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**

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

The Board, upon written request, may grant leave of absence without pay due to a disability for a period not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended by the Board in increments of no more than one (1) year, not to exceed two (2) consecutive years.

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. **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**

Educational Leave

Certified Employees: The Board may grant tenured employees unpaid leave for a period not to exceed two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time attendance at a college or university for related continuing education, or for other training or professional activities approved by the Board when those activities are related to the employee's job.

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.

03.1235

Classified Employees: Upon recommendation by the Superintendent, the Board may grant to classified employees short-term paid leave with pay or longer term leave without pay for full time college attendance for the purpose of obtaining related training to enhance skills required for their jobs or in anticipation of a different position within the school system. Classified employee eligibility for educational leave requires completion of at least four (4) consecutive prior years of service. **03.2235**

Written application for educational/professional leave is requested at least thirty (30) days before the leave is to begin.

Emergency Leave

Full-time employees are entitled to three (3) days of emergency leave with pay each school year. Eligible part-time employees and other eligible employees who work for less than a full year are entitled to a prorata part of the authorized emergency leave days.

Approved reasons for taking emergency leave include: bereavement, personal disasters, legal/court appearances and others as approved by the Superintendent/designee. Persons taking emergency leave must file a personal affidavit upon their return to work stating the specific reasons for their absence.

Emergency leave shall be taken in no less than half-day increments. **03.1236/03.2236**

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.

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. As soon as they are notified of an upcoming military-related absence, employees are responsible for notifying their immediate supervisor.

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

Unpaid Leave

Long-term leave without pay may be granted for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. Employees must submit a written request to the Superintendent at least thirty (30) working days prior to the date the unpaid leave begins. The request must be reviewed by the Board prior to the commencement of the leave.

Employees on long-term leave (sick, maternity, family and medical, disability, education, workers' comp) who plan to return the next school year must notify the Superintendent/designee in writing of their intention to return to work by April 1 of the year the leave terminates. **03.123/03.223**

No service credit will be earned while on unpaid leave. In addition, periods of absence not covered by available paid or unpaid leave granted by the Board will be designated as unauthorized and may be cause for disciplinary action, up to and including dismissal.

Section

3

Personnel Management

Transfer

Employees who wish to request a voluntary transfer should contact their immediate supervisor for assistance.

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**

Promotion

District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. First consideration shall be given to qualified applicants among current employees who have exhibited meritorious job performance in their present positions. **03.1312**

Current employees must complete a new employment application to become a candidate for another job in the District.

Termination/Resignation

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

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

Classified employees seeking to resign their employment shall provide written notice to the Superintendent at least two (2) weeks prior to their last day of work. **03.27**

Employees are requested to notify the Principal or the Superintendent in writing when they plan to leave employment with the Clark County Board of Education. The purpose of the written notification is to establish the last day of work and to notify employees of post-employment benefits for which they may be eligible.

Retirement

Employees who decide to retire should give the Superintendent/designee notice as far in advance as possible, but no later than two (2) weeks before retirement. Retirement benefits are solely a matter of contract between the employee and her/his retirement system (the Teacher's Retirement System or the County Employee's Retirement System).

The Board compensates employees only upon initial retirement for each unused sick day at the rate of thirty percent (30%) of the daily salary, based on the employee's last annual salary. **03.175/03.273**

Evaluations

Work performance is evaluated continuously through observation based on objective criteria.

Certified: The immediate supervisors of a certified employee will be the primary evaluator. All monitoring or observations of performance of a certified employee shall be conducted openly and with full knowledge of the teacher or administrator. Evaluations shall occur annually for each certified employee and administrator, including the Superintendent. **03.18**

Classified: Each classified employee shall be evaluated a minimum of one (1) time per year. This evaluation shall be performed by the Principal or immediate supervisor by April 15. A conference with the employee will be scheduled to review the evaluation. **03.28**

Classified employees whose performance is unsatisfactory at any point, or who receive a "does not meet" rating on the evaluation, will work with their supervisor to develop an individual corrective action plan.

All employees are given an opportunity to review their evaluations and an opportunity to attach a written response to the evaluation. Any employee who believes that s/he was not fairly evaluated may appeal his/her evaluation.

Training/In-Service

The Board provides a program for high quality, personalized, and evidence-based, continuing professional development and staff trainings. The Principal/immediate supervisor will notify personnel of activities and schedules.

Certified Personnel: Professional development requirements must be fulfilled by June 30 of each year. Otherwise, repayment for the appropriate hours may be deducted from the individual's paycheck. **03.19**

Professional Meetings

Certified employees may request permission to attend job-related professional meetings that are not a part of District professional development activities. The requesting employee shall submit a written application to attend the meeting, with or without pay and/or expense reimbursement, to the Principal/immediate supervisor, who shall forward approved requests to the Superintendent/designee. Those who attend professional meetings at District expense shall be expected to disseminate information gained among their colleagues. **03.1911**

Personnel Records

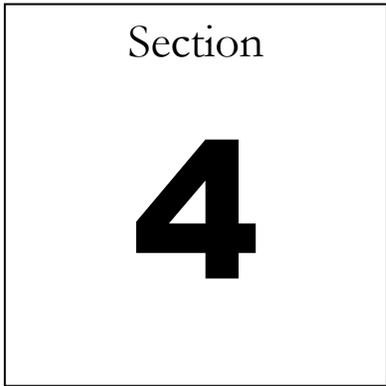
One (1) master personnel file is maintained in the Central Office for each employee. The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. Employees may inspect their personnel files. **03.15/03.25**

To assure that employment records are kept up-to-date, employees must notify Human Resources when vital information changes, such as address or marital status. Employees should request a multi-purpose change form for this purpose from their Principal or immediate supervisor.

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 Conduct



Absenteeism/Tardiness/Substitutes

In order to provide continuity of instructional activities and other essential services to students, and to assure effective District operations, a fundamental element of each employee’s job is to arrive at work promptly and regularly, remain for the entire work period, and perform the duties assigned. When it is necessary for the employee to be absent from his or her assigned duties or to alter his or her regular work schedule, strict adherence to all Board policies is required.

Employees are expected to notify their immediate supervisor when they must be tardy or absent. Teachers who must be absent shall notify the District *Frontline Education* Substitute Placement and Absence Management Service at 800-942-3767 or access the system online at the District website www.clarkschools.net and the Principal/designee before the opening of school. Other employees in positions requiring substitutes must contact their immediate supervisor/Director or District *Frontline Education* Substitute Placement and Absence Management Service contact as soon as possible to request a substitute for the day.

Employees that have been absent are required to complete a *Leave Affidavit* immediately upon return to work.

Employees absent from work for more than three (3) consecutive days without notifying their Principal or Director will be considered for dismissal for job abandonment.

Substitute Teacher Plans

Board policy requires that lesson plans be available for use by substitute teachers and other personnel. **08.212**

Teachers are responsible for arranging and assuring the quality of the activities for a substitute teacher to use with their classes. A seating chart, written conduct expectations, and providing the teacher’s phone number in the message on the *Frontline Education* Substitute Placement and Absence Management Service are recommended.

Staff Meetings

Unless they are on leave or have been excused by the administrator who called the meeting, personnel shall attend called meetings. **03.1335**

Political Activities

Employees shall not promote, organize, or engage in political activities while performing their duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

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

Emergency Closings

The Superintendent or designee has the authority to close schools when weather or other emergency conditions would make operating the school bus fleet unsafe. **06.21, 08.33**

Employees should check for related announcements on local radio and television broadcasts. When school is closed due to inclement weather, employees will be notified of necessary work calendar adjustments. However, as designated by the Principal or Director, certain employees may be required by their position responsibilities to come to work even when schools are closed.

Disrupting the Educational Process

Any employee who participates in or encourages activities that disrupt the educational process may be subject to disciplinary action, 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 the orderly administration of the school and school-related activities or District operations. **03.1325/03.2325**

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**

Controversial Issues

Teachers who suspect that materials or a given issue may be inappropriate or controversial shall confer with the Principal prior to the classroom use of the materials or discussion of the issue. **08.1353**

Drug-Free/Alcohol-Free Schools

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

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.

Employees who use a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of Board policy.

Any employee who violates the terms of the District's drug-free/alcohol-free policies may be suspended, nonrenewed or terminated. Violations may result in notification of appropriate legal officials.

Employees who know or believe that the District's alcohol-free/drug-free policies have been violated must promptly make a report to the local police department, sheriff, or Kentucky State Police. **09.423**

Any employee convicted of a workplace violation of drug abuse statutes must notify the Superintendent/designee of the conviction within five (5) working days.

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**

Weapons

Except where expressly and specifically permitted by Kentucky Revised Statute, carrying, bringing, using or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited. Except for 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. Staff members who violate this policy are subject to disciplinary action, including termination.

Employees who know or believe that this policy has been violated must promptly make a report to the local police department, sheriff, or Kentucky State Police. **05.48**

Tobacco, Alternative Nicotine, or Vapor Products

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**

Use of School Property

Employees are responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. 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 using District property or facilities.

Employees may not use any District facility, vehicle, electronic communication system, equipment, or materials to perform outside work without the permission of the building Principal or Superintendent. These items (including security codes and electronic records such as e-mail) are District property and shall be used solely for job-related purposes.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. Employees shall reimburse expenses incurred for personal use.

Employees may not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy of the information in their e-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

Employees who drive any Board-owned vehicle and/or transport students must annually provide the Superintendent/designee with a copy of their driving record. Employees who receive a traffic citation during the year must report the citation to the Superintendent/designee before driving a Board-owned vehicle or transporting students. **03.1321/03.2321**

Use of Personal Cell Phones/Telecommunication Devices

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

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

Health, Safety and Security

It is the intent of the Board to provide a safe and healthful 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 the receipt of emergency medical care.

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**

Custodial Support

Custodians are an essential element in promoting workplace safety. They are trained and responsible for custodial duties that are to be carried out according to procedures and requirements of the Clark County Board of Education.

Employees are encouraged to:

- Rely on the custodial staff for heavy lifting;
- Follow custodial routines in daily classroom maintenance; and
- Contact the custodian for clean up of body fluids.

Workers' Compensation

When employees suffer an injury on the job or an illness due to their job, they must report the incident to their Principal/immediate supervisor as soon as possible, but no later than within 24-48 hours of the injury or illness. Employees are encouraged to report work related injuries through Liberty Mutual's reporting system at 800-362-0000 or by using the Liberty Mutual First Report of Injury paper form provided by the District. The report will be processed as appropriate by the District's Workers' Compensation Insurance Carrier and Human Resources. **03.124/03.224**

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**

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 shall immediately make a report to a local law enforcement agency, the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth’s Attorney or the County Attorney. **09.227**

Reporting Telephone Numbers:

Kentucky Child Abuse & Neglect Hotline	1-877-597-2331 1-877-KYSAFE1
National Human Trafficking Hotline	1-888-373-7888
City Police	911 or 859-745-7400
County Sheriff	859-744-4390
State Police	1-800-222-5555
County Attorney	859-745-0220

Use of Physical Restraint and Seclusion

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

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, including dismissal.

In cases involving 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 provisions of Policy **10.21** or provide him/her with a copy. 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 police.

As soon as possible after any such incident, employees should submit a written incident report to their immediate supervisor. **10.21**

Grievances/Communications

The Superintendent has developed and promulgated a written grievance procedure. Included are the opportunities for grievances to be addressed at each level of the organization above the point of origin until resolved, time limitations for the filing, and each step until resolution of a grievance. (See Appendix for procedure to be followed.)

Principals and Directors are required to post the Grievance Procedure in the work site and provide an ample supply of brief procedure and filing forms privately accessible to the employee. Grievances are confidential, individual in nature and must be pursued by the individual employee affected by the action.

The Board shall take action only on those grievances that fall within the authority of the Board. The Board will hear grievances only after unsuccessful resolution by the employee's supervisors.

The Board may review and make a determination on grievances provided the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions (affecting certified only) demotion (under KRS 161.765).

Before accepting a grievance appeal, the Board shall seek the advice of the Board Attorney as to whether the appeal falls within the requirements of this policy. Any personnel grievance not falling within those requirements shall be appealed only to the level of the Superintendent.

The Board shall not hear grievances or complaints concerning simple disagreement or dissatisfaction with a personnel action.

Allegations of harassment or discrimination shall be governed by policy 03.162. **03.16/03.26**

Gifts

There shall be no exchange of gifts at school between students and their teachers, or between parents of students and teachers. **03.1322**

Outside Employment or Activities

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

Certified: As long as it does not interfere with the performance of assigned duties, during the school term certified employees may tutor pupils not assigned to their class. Certified employees may serve as consultants to other districts when such service does not interfere with assigned duties. However, consulting activities involving regularly scheduled school time shall require the prior approval of the Superintendent.

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**
- 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 the Principal and notify your supervisor immediately after sustaining a work-related injury or accident. **03.14/03.24/05.4**

EMPLOYEE CONDUCT

- Report to the Principal/immediate supervisor, Superintendent, or the District's Title IX 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**
- 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 AP.1/05.42 AP.1/05.43 AP.1**
- 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 AP.1**
- 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**

- 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**

EMPLOYEE CONDUCT

- 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 you shall **immediately** make a 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 Attorney or the County Attorney. (See **Child Abuse** section.) **09.227**
- 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

The Education Professional Standards Board provides the following code of ethics for certified personnel via 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.

Appendix

Section 5

Grievance Procedure 03.16 AP.1

Employees wishing to initiate a formal grievance about an alleged violation of a constitutional, statutory, or regulatory provision, of a Board policy, administrative rule, or procedure shall use a Grievance Initiation Form (03.16 AP.2).

CONDITIONS

1. All grievances are individual in nature and must be brought by the individual grievant.
2. All grievance proceedings shall be conducted outside the regular school day and at a time and place mutually agreed upon.
3. The grievant shall be permitted to have one (1) representative.
4. To the extent possible, all attendant records shall be filed in the office of the immediate supervisor and/or Superintendent and shall be considered private information and separate from the individual employee's folder. All records will be kept for a minimum of three (3) years.
5. No reprisal shall be taken against any aggrieved person because of the filing of a grievance.

TIME LIMITS

1. Employees must file their grievance within twenty (20) working days following the alleged violation.
2. Days referred to in the grievance initiation form shall be working days, except for any days which are designated as holidays, professional meeting days, national, state, or local disaster or mourning days and any days during the school term on which schools are closed.
3. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
4. If no extension occurs and the grievant does not file an appeal to the next level within ten (10) working days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

SUPERINTENDENT'S/DESIGNEE'S INVOLVEMENT

1. When appropriate, the grievant shall give his/her communication directly to the Superintendent, thus bypassing the immediate supervisor. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Superintendent.
2. The Superintendent reserves the right to redirect the communicator to the appropriate level.

BOARD OF EDUCATION'S INVOLVEMENT

1. If the employee, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the employee may present his/her written communication to the Superintendent for transmittal to the Board of Education, or notify the Superintendent ten (10) working days prior to the meeting of the Board at which the employee wishes the grievance presented. Employees are not authorized to contact Board members individually about grievances.

The Board shall consider grievances concerning personnel actions in accordance with parameters set out in policy.

2. If the Board decides to review the grievance, the employee will then be afforded an opportunity to appear before the Board at the next regular meeting for relevant discussion of the employee's communication. If the employee does not wish to make a verbal presentation, the employee's right to refrain from such activity will be respected.
3. The Superintendent or the grievant shall present the communication to the Board of Education at its next regularly scheduled meeting.
4. The Board of Education will consider the grievance, and will provide the employee a written response within ten (10) working days after the next regularly scheduled meeting of the Board, following the meeting of the Board at which the grievance was initially presented. The decision of the Board of Education shall be final.

Grievance Procedure 03.16 AP.2

NAME: _____	DATE: _____
<u>CONFIDENTIAL</u>	
The issue or incident:	
Incidents which are examples: Include time and place of incidents.	
Who was involved or was a witness?	
Action which would resolve the grievance to my satisfaction:	

Signature: _____

Acknowledgement Form

2019-2020 School Year

I, _____, have received notification that the
Employee Name

Employee Handbook issued by the District is online at www.clarkschools.net and at clark-ky.safeschools.com/login, and understand and agree that I am to review this handbook in detail and to consult District and school policies and procedures and 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.

Print Name

Signature of Employee

Date

Return this signed form to the Central Office Human Resources Department or review and sign off online at clark-ky.safeschools.com/login.