



LEWIS COUNTY SCHOOLS

2019 - 2020 Employee Handbook

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As required by law, the Board of Education does not discriminate on the basis of race, color, national or ethnic origin, age, religion, sex, genetic information, 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.

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Introduction

Welcome

Welcome to Lewis County 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 the benefits available to you as an employee of the District.

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, the policies and procedures govern. It is the employee's responsibility to refer to the actual policies and/or administrative procedures for further information. Copies of specific documents are available at the Central Office and in the Principal's office. Policies and procedures also are available online via the District's web site or through this Internet address: <http://policy.ksba.org/L07/>. 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 Mission

The Lewis County Board of Education's mission is to ensure each child a superior education and an appreciation for continuous learning through visionary leadership, innovative teaching and dedicated teamwork.

Future Policy Changes

Although every effort will be made to update the handbook on a timely basis, the Lewis 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.

Section

1

General Terms of Employment

Equal Opportunity Employment

The Lewis 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 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 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 Board of Education's Central Office. **03.113/03.212**

Hiring

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 shall receive a contract annually.

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

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

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 may access their job descriptions at www.Lewis.Kyschools.Us/staffhandbook or may request one from their supervisor. 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**

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 fully with all investigations conducted by the District as authorized by policy or 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.

Criminal Background Check and Testing

Applicants, employees, and student teachers must undergo records checks and testing as required by 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>

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

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**

Both federal law and Board policy prohibit employees from making unauthorized disclosure, use or dissemination of personal information regarding minors over the Internet. **08.2323**

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

All District employees shall participate in direct deposit of payroll. Direct deposits 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). Classified employees must request such payment upon the completion of their duties and no later than June 1. **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**.

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.

Classified Personnel: Classified personnel may be paid on an hourly or salary basis, as determined by the Board. **03.221**

Hours of Duty

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

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. **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**

Harassment/Discrimination

The Lewis 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. 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:

Title IX Coordinator Name Tiffany Felty and/or Brenda Box
Telephone 606.796.2811
Address 65 Central Elementary, Vanceburg, Ky.

Section 504 Coordinator Name Paula Lewis
Telephone 606.796.2811
Address 65 Central Elementary, Vanceburg, Ky.

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.

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

07.1

HARASSMENT/DISCRIMINATION TRAINING SUMMARY

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

- Responsibilities of staff to report incidents of possible harassment and the procedures for doing so:
 - Harassment/discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities.
 - District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination (Form: 09.42811 AP 24).
 - Students who engage in harassment/discrimination of an employee or another student shall be subject to disciplinary action, including but not limited to suspension and expulsion.
 - The Principal is the person responsible for receiving reports of harassment/discrimination at the building level (Form: 09.42811 AP 2).
 - Based on severity complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report (Form: 09.42811 AP 21).
 - Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.
 - Investigation of allegations to commence as soon as circumstances allow, but no later than three (3) school days of receipt of the original complaint (Form: 09.42811 AP 22).
 - A written report of all findings of the investigation shall be completed within 30 days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.
 - A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
 - Within 24 hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.
 - In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.
 - Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

GENERAL TERMS OF EMPLOYMENT

- Nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed the definition of harassment/discrimination.
 - Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors.
 - Instances involving sexual violence.
 - Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based.
 - Implied or overt threats of physical violence or acts of aggression or assault.
 - Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity.
 - Destroying or damaging an individual's property based on any of the protected categories.
- District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.
 - Upon the completion of the investigation and correction any party may appeal in writing any part of the findings and corrective actions to the Superintendent (Form: 09.42811 AP 21).
 - Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.
 - No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.
 - Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.
 - False or malicious complaints may result in disciplinary action taken against the complainant.

THE COMPLETE BOARD POLICY IS COVERED ON THE FOLLOWING PAGES AS WELL AS THE REQUIRED REPORTING FORMS

Harassment/Discrimination (09.42811)

DEFINITION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

GUIDELINES

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

GUIDELINES (CONTINUED)

2. A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

4. Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

NOTIFICATIONS

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;

PROHIBITED CONDUCT (CONTINUED)

2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

FALSE COMPLAINTS

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

GENERAL TERMS OF EMPLOYMENT

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

REFERENCES:

¹KRS 158.156
42 USC 2000e, Civil Rights Act of 1964, Title VII
Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance (U.S. Department of Education)
U. S. Supreme Court - Franklin vs. Gwinnett County
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)
Regulations Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX
Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)
Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

RELATED POLICIES:

03.162; 03.262
09.13; 09.2211; 09.227
09.422; 09.426; 09.438

Adopted/Amended: 7/13/2015
Order #: 2

Harassment/Discrimination Reporting Form (09.42811 AP2)

This form provides the opportunity for a student or parent to report violation(s) of Board Policy 09.42811 and to secure an equitable and prompt resolution. This procedure shall be implemented in compliance with Board Policy 09.42811 and shall be used to document all complaints, whether addressed informally or formally.

Student's Name	_____		
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
Student's Address	_____		
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Student's Age _____	Date of Birth _____	Student's Phone Number _____	
School _____	Grade _____	Homeroom/Classroom _____	
Name of Parent/Guardian _____	Daytime Phone # _____		

CONFIDENTIALITY

Information regarding an investigation of alleged harassment/discrimination shall be kept confidential to the extent possible. Individuals involved in the investigation shall not discuss information regarding the complaint outside of the investigation process.

HARASSMENT/DISCRIMINATION COMPLAINT (USE ADDITIONAL SHEETS IF NECESSARY.)

Date(s)/approximate time of the alleged incident(s): _____

Place alleged incident (s) occurred: _____

What type of harassment or discrimination was involved in the alleged incident?

sexual racial on the basis of national origin on the basis of disability

other type of harassment/discrimination? If other, specify: _____

Name of person you believe is guilty of harassment or discrimination: _____

Position (if employee): _____ Grade (if student): _____ Other (specify) _____

If the alleged behavior was directed toward another person, name that person: _____

Describe the alleged incident as clearly as possible, including such information as verbal statements (i.e. slurs, threats, other verbal or physical abuse or prohibited requests), what physical contact, if any was involved, what force, if any was used. _____

LIST ANY WITNESSES TO THESE EVENTS: _____

PLEASE ATTACH ANY EXHIBITS OR OTHER TANGIBLE EVIDENCE (I.E., NOTES).

WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM? _____

I agree that all information reported here is complete, accurate and true to the best of my knowledge and affirm that I honestly believe that the person named harassed or discriminated against me or another person.

Signature of Student _____
Date

Signature of Parent/Guardian (not required) _____
Date

Received by _____
Date

NOTE:

- Students/parents 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

Review/Revised:7/13/2015

Harassment/Discrimination Investigation and Appeals (09.42811 AP.21)

(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)

STUDENT COMPLAINANT _____		
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
STUDENT'S SCHOOL _____	GRADE _____	HOMEROOM/CLASSROOM _____

The Superintendent shall appoint an investigator who is not an alleged party in the complaint to investigate allegations of harassment/discrimination. The investigator shall be trained in this area, and her/his duties shall be assigned by the Superintendent/designee or, for contractors, set out in a contract, as appropriate. If the Superintendent is the alleged party, the Board shall designate an outside investigator and, after presentation of the final investigative report, determine when and how it is to be released. All instances involving suspected child abuse or criminal conduct shall be reported as required by law.

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Investigator: _____ Date Complaint Form is Received: _____

INFORMAL PROCEDURE

If both parties agree, prior to a formal grievance process an administrator may facilitate a conversation between the complainant and the party alleged to have harassed or discriminated against the complainant. Both the complainant and the accused party may be accompanied by a person of their choice. If both parties feel that a resolution has been achieved, no further action need be taken. The results of an informal resolution shall be reported by the facilitator, in writing, to the Principal, along with a signed agreement, if one is reached. If any of the interested parties choose not to utilize the informal procedure, or feel that it has been unsuccessful, s/he may opt to proceed to the formal grievance procedure. However, any complaints directed at District employees or alleging criminal acts must be formally investigated and/or reported to state authorities as required by law.

Was this complaint resolved informally, as indicated by an agreement signed by both parties?

Yes No Date: _____ Facilitator _____

FORMAL PROCEDURE

Students should make their complaint to their Principal or other designated administrator, who shall immediately, without screening or beginning an investigation, inform the Superintendent of receipt of the complaint. Otherwise, the complaint can be filed directly with the Superintendent or, in cases involving sexual harassment/discrimination, with the Title IX/Equity Coordinator. Employees who have knowledge of alleged or observed student harassment/discrimination shall immediately notify the alleged victim's Principal.

The Superintendent shall designate an individual to investigate the complaint. If necessary, the investigator will seek assistance from District administrators. In some instances it may be necessary to involve legal counsel, when authorized by the Superintendent, or by the Board if the Superintendent is the subject of the complaint.

GENERAL TERMS OF EMPLOYMENT

TIMELINE

The investigator shall provide the complainant and the accused with a copy of the District’s Policy 09.42811 and Notice to Individuals Complaining of Harassment/Discrimination and inform the complainant and the accused of required timelines that have been established for initiation and completion of an investigation.

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) SCHOOL DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

=====

Board policy allows for appeal of the investigator’s decision and the opportunity to address the complaint to a higher level of authority. An appeal must be made within ten (10) school days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? Yes No

If *yes*, to whom will the complaint be referred? _____ Date: _____

FIRST APPEAL LEVEL

STUDENT COMPLAINANT _____			
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
STUDENT’S SCHOOL _____	GRADE _____	HOMEROOM/CLASSROOM _____	

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Superintendent/designee who will consider appeal: _____

Date appeal and related data received by Superintendent/designee: _____

In some instances it may be necessary to involve legal counsel at the appeal level, when authorized by the Superintendent or by the Board if the Superintendent is the subject of the complaint.

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF THE STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) SCHOOL DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

=====

Board policy allows for appeal of the decision made at this level and the opportunity to address the complaint to the Board of Education. An appeal must be made within ten (10) school days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? Yes No

If *yes*, to whom will the complaint be referred? _____ Date: _____

GENERAL TERMS OF EMPLOYMENT

SECOND APPEAL LEVEL

STUDENT COMPLAINANT _____		
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
STUDENT'S SCHOOL _____	GRADE _____	HOMEROOM/CLASSROOM _____

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Board Chairperson: _____

Date appeal and related data received by the Chairperson on behalf of the Board: _____

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) SCHOOL DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

GUIDELINES

1. The Board shall not hear grievances concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. In some instances it may be necessary to involve legal counsel, when authorized by the Board.
3. The Superintendent/designee shall implement corrective action as determined by the Superintendent or by the Board, as appropriate under law, after appeal rights have been exhausted. If the Superintendent is subject to corrective action, the Board shall implement the action.
4. The District is prohibited from disclosing personally identifiable information contained in student discipline records under the Federal Educational Rights and Privacy Act and corresponding state law.
5. Employee evaluation and private reprimand information generally confidential and may require consent of the employee prior to release.

RELATED POLICIES:

09.2211; 09.227

RELATED PROCEDURES:

09.227 AP.1, 09.42811 (all procedures)

Review/Revised:7/13/2015

Witness Disclosure Form (09.42811 AP.22)

Witness' Name _____			
<i>Last Name</i>		<i>First Name</i>	
<i>Middle Initial</i>			
Witness' Address _____			
<i>City</i>		<i>State</i>	
<i>Zip Code</i>			
Witness' Phone Number _____			
Is witness a <input type="checkbox"/> student, <input type="checkbox"/> school employee, or <input type="checkbox"/> other? If other, specify _____			
School (if a student): _____ Grade _____ Homeroom/Classroom _____			
Witness' relationship, if any, to the complainant: _____			
Witness' relationship, if any, to the accused: _____			

On the date(s) of _____, a student has claimed to be the target of harassment or discrimination on the basis of _____. Did you observe or are you aware of such an incident? Yes No

If yes, describe the incident(s) that you witnessed as clearly as possible, including such information as the following:

- What verbal statements, if any, were made (i.e. slurs, threats, demands, other verbal or physical abuse or prohibited requests)?
- What physical contact, if any, was involved?
- What force, if any, was used?
- Did other actions occur? If so, please describe.

(Use additional sheets if necessary.) _____

LIST ANY OTHER WITNESSES TO THESE EVENTS: _____

- *I understand that Board policy prohibits retaliation against witnesses who assist or participate in an investigation.*
- *I agree that all information reported here is accurate and true to the best of my knowledge and, by my signature, agree to its release.*

Signature of Witness _____
Date

Received by _____
Date

Review/Revised:8/13/2001

Resolution Response (09.42811 AP.24)

This completed form shall be provided to both the complainant and the accused party.

STUDENT COMPLAINANT _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
ACCUSED PARTY _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
SCHOOL _____			
COMPLAINT/APPEAL RECEIVED _____		RESPONSE DELIVERED _____	
<i>Date</i>		<i>Date</i>	
INVESTIGATOR'S NAME _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	

The investigation of harassment/discrimination complaint/appeal referenced above has now been completed, and the following determinations have been made:

Did the alleged incident(s) occur based on substantiated information? Yes No

If "yes", what type of resolution will be implemented by the District? (Check all that apply.)

- | | |
|---|--|
| <input type="checkbox"/> Personnel action | <input type="checkbox"/> Measures to protect the complainant |
| <input type="checkbox"/> Action against a visitor | <input type="checkbox"/> Action against a student offender |

If corrective actions were necessary, have they been initiated? Yes No

Investigator's Signature *Date*

Superintendent/ designee's Signature *Date*

NO ONE SHALL RETALIATE AGAINST AN EMPLOYEE OR STUDENT BECAUSE S/HE FILES A GRIEVANCE, ASSISTS OR PARTICIPATES IN AN INVESTIGATION, PROCEEDING, OR HEARING REGARDING THE CHARGE OF HARASSMENT/DISCRIMINATION OF AN INDIVIDUAL OR BECAUSE S/HE HAS OPPOSED LANGUAGE OR CONDUCT THAT VIOLATES BOARD POLICY.

Review/Revised:7/12/10

Section

2

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. **03.124/03.224**

A listing of optional insurance coverages is available at www.Lewis.Kyschools.us/handbook or from your supervisor.

Salary Deductions

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

- State approved deferred compensation plan;
- State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
- Membership dues in professional/job-related organizations, when thirty percent (30%) of eligible members request deductions.

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**

Cafeteria Plan

The Lewis County School District offers employees a cafeteria plan of benefits. **03.1213/03.2212**

Expense Reimbursement

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 (.40 per mile), gasoline used for Board vehicles, tolls and parking fees, car rental, fares charged for travel on common carriers (plane, bus, etc.), food (not to exceed \$30.00 per day as authorized by policy and/or procedure), and lodging. Itemized receipts must accompany requests for reimbursement.

Mileage shall be calculated from actual odometer readings or based on the most practical route as indicated by road maps (electronic or paper) and originate and/or end at the employee's official work station or a point determined by the employee's supervisor.

Employees must submit travel vouchers within one (1) week of travel and will not be reimbursed without proper documentation. Should employees receive reimbursement based on incomplete or improper documentation, they may be required to reimburse the District. **03.125/03.225**

Holidays

All certified employees and classified employees are paid for four (4) annual holidays as indicated in the school calendar.

Full-time employees who work a minimum of 210 days or more shall receive an additional paid holiday to be determined by the Superintendent, total of five (5). Full-time employees who work 225 days or more shall receive an additional paid holiday to be determined by the Superintendent, total of six (6). Full-time employees who work 240 days or more shall receive an additional paid holiday to be determined by the Superintendent, total of seven (7). **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.

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.

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 April 1st.

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

Full-time employees are entitled to two (2) days of paid personal leave each school year. Part-time employees or employees who work for less than a full year are entitled to a prorata part of the authorized personal leave days. Your supervisor 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. Personal leave days not taken during the school year shall be transferred and credited to the employee's sick leave account as of June 30th. Other limitations are set out in Policy. **03.1231/03.2231**

Sick Leave

Full-time employees are entitled to ten (10) days of paid sick leave each school year. Part-time employees or employees who work for less than a full year are entitled to a prorata part of the authorized sick leave days. 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. **03.1232/03.2232**

See the "Retirement" section for information about reimbursement for unused sick leave at retirement.

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. Employees may not disrupt the workplace while asking for donations.

Applications to donate sick leave should be returned to the school Principal.

Any sick leave that is not used will be returned on a prorated basis to the employees who donated days. **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, 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.

Paid leave used under this policy will be subtracted from the twelve (12) workweeks to which the employee is entitled. Employees should contact their immediate supervisor as soon as they know they will need to use 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 or 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 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 one year, for 1,250 hours over 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 under FMLA; and
- 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 immediately 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 school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) 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

Unpaid disability leave for the remainder of the school year is available to employees who need it. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

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 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**

Classified Employees: Upon recommendation by the Superintendent, the Board may grant short-term paid leaves to classified employees for training necessary to enhance skills required for their jobs or in anticipation of a different position within the school system. **03.2235**

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

The Superintendent may grant a short-term unpaid leave of absence provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. Requests for unpaid leave must be made in writing and submitted to the Superintendent. **03.123/03.223**

Section

3

Personnel Management

Transfer

Certified employees requesting transfer must submit the request in writing to the Superintendent. Classified 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**

Employee Discipline

Termination and nonrenewal of contracts are the responsibility of the Superintendent. **03.17/03.27/03.2711**

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

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

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 in accordance with Policy. **03.18/03.28**

Training/In-Service

The Board provides a high quality, personalized, and evidence-based program for professional development and staff trainings.

Certified Personnel: Unless an employee is granted leave, failure to complete and document required professional development during the academic year will result in a reduction in salary and may be reflected in the employee's evaluation. **03.19**

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**

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**

Section

4

Employee Conduct

Absenteeism/Tardiness/Substitutes

Employees are expected to notify their immediate supervisor when they must be tardy or absent. Staff in positions requiring substitutes must contact their immediate supervisor no later than 7:00 a.m. or as soon as possible on the day of absence to request a substitute for the day.

Staff Meetings

Unless they are on leave or have been excused by the administrator who called the meeting, staff members 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.

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**

Social Networking and Blogs

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.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use; and
 - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates policy or statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

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 or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by federal regulation.

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 violate the terms of the District's drug-free/alcohol-free policy may be suspended, non-renewed 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 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**

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 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**

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. Certified staff may request an exception from the Superintendent. These items (including security codes and electronic records such as e-mail) are District property.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

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 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**

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 Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney. **09.227**

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/designee has developed specific procedures to assist employees in making a complaint. 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**

Outside Employment or Activities

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

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 employee's 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**
- Report to the Principal/immediate supervisor 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 drill or evacuation. **05.41 AP.1/05.42 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.
- 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**
- 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

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.

Acknowledgement Form

2019-2020 School Year

I, _____, have received a copy
Employee 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 Name (please print)

Signature of Employee

Date

Return this signed form to the Central Office.