

MONTGOMERY COUNTY SCHOOLS

EMPLOYEE HANDBOOK



Striving For Educational Excellence

700 Woodford Drive
Mt. Sterling, Kentucky 40353
Phone (859) 497-8760
Fax (859) 497-8780
www.montgomery.k12.ky.us

INTRODUCTION

Montgomery County Schools is, first and foremost, an educational community engaged in creating a student-centered learning environment which motivates and challenges all students to think, learn, and perform at high levels.

We believe that each employee plays an essential role in the overall accomplishment of the district's mission and goals. We consider the contribution of each employee important to ensuring a world-class program of studies for all students, superior service to our customers, and outstanding student success.

The purpose of this handbook is to acquaint you with Board of Education policies, regulations, procedures, and benefits that affect and govern your employment. This handbook does not constitute an employment contract. Should you have questions regarding any policy, please ask your supervisor or contact the Personnel Office for assistance.

Montgomery County Schools reserves the right to modify, change, or delete its policies, procedures, or benefits, as it deems appropriate.

Please retain this copy. Any changes in this handbook will be distributed to each employee to update his/her copy.

The information in this handbook refers to all employees unless otherwise noted.

Updated October 2008

MONTGOMERY COUNTY SCHOOLS

MISSION STATEMENT:

The Montgomery County School System, in partnership with the community, serves individual students by providing quality education empowering them to be productive members of our global society.

We believe that:

- All students will be technology literate and able to function at home and in the workplace at a level equal to or above their peers.
- All graduates will make a successful transition from the high school setting to the world of work or to institutions for additional training in an academic or vocational area.
- Ninety-five to one hundred percent of graduates will demonstrate proficiency in core curriculum areas.
- All barriers to learning will be removed.

Montgomery County Schools is committed to the highest quality of education in preparing all students with the knowledge, competence, and personal characteristics necessary to succeed in the Twenty-First Century.

MONTGOMERY COUNTY BOARD OF EDUCATION

Fern Reed, Chair
Kenney Gulley, Vice Chair
Harold Wayne Witt
Kelly Murphy
Jennifer Ratliff

CENTRAL OFFICE ADMINISTRATION

Daniel M. Freeman, Ed. D.
Superintendent

Phil Rison
Assistant Superintendent

Jacqui Johnston
Assistant Superintendent

Tom Hunt
Coordinator of Technology & Special Projects

Amanda Dennis
Director of Special Education

Kelly Foster
Director of Secondary Curriculum

Dawn Cockrell
Director of Instruction

Hopey Newkirk
Director of Pupil Personnel/Health Services

Julie Wessling
Director of Food Services

Louise Summers
Director of Community Education/Relations

Karen Gullett
Director of Transportation

**MONTGOMERY COUNTY SCHOOLS ADDRESSES
AND PRINCIPALS**

The Superintendent is the official records custodian of the Montgomery County School District. Any questions, comments, or suggestions regarding policies of the Montgomery County Board of Education should be referred to the Superintendent.

Camargo Elementary, P-5
4307 Camargo Rd.
Mt. Sterling, KY 40353
Sharon Smith, Principal
497-8775

McNabb Middle School, 6-8
3570 Indian Mound Drive
Mt. Sterling, KY 40353
Rick Mattox, Principal
497-8770

Mapleton Elementary, P-5
809 Indian Mound Drive
Mt. Sterling, KY 40353
Melody Claypoole, Principal
497-8752

Montgomery County High School, 9-12
724 Woodford Drive
Mt. Sterling, KY 40353
Todd Wilson, Principal
497-8770

Mt. Sterling Elementary, P-5
6601 Indian Mound Dr.
Mt. Sterling, KY 40353
Richard DeAngelis, Principal
497-8730

Montgomery County Early Learning Center
212 N. Maysville
Mt. Sterling, KY 40353
Tammy McCarty, Preschool Coordinator
497-8724

**FAMILY RESOURCE/YOUTH SERVICE CENTER
ADMINISTRATION**

Christie Jouett
Director of Family Resource Center
Camargo Elementary
497-8741

Danielle Pleasant
Director of Family Resource Center
Mt. Sterling Elementary/Mapleton Elementary
497-8726

Becky Kelley
Director of Youth Service Center
MCHS/McNabb Middle
497-8779

Table of Contents

Page

ACCESS TO ELECTRONIC MEDIA	51
ALCOHOL & DRUG-FREE WORKPLACE POLICY	18
DISCIPLINE	29
Disciplinary Action – Causes for (Classified).....	30
Disciplinary Actions - Other (Classified).....	31
Disciplinary Options (Classified).....	29
Discipline, Suspension and Dismissal of Classified Employees.....	29
Due Process Provisions (Suspension Without Pay/Termination).....	31
Termination / Non-renewal / Separation by Certified Employee.....	29
EMPLOYEE BENEFITS - OTHER	47
Athletic Passes.....	48
Employee Recognition.....	47
Professional Growth.....	47
Professional Organizations.....	48
Retiree Recognition.....	47
Teacher of the Year.....	47
EMPLOYEE GRIEVANCE	32
Board of Education’s Involvement.....	34
Conditions.....	33
Procedures.....	33
Superintendent’s/Designee’s Involvement.....	34
Time Limits.....	33
EMPLOYEE LEAVE BENEFITS	35
Paid Leaves of Absence.....	35
Emergency Leave.....	37
Jury Duty Leave.....	37
Maternity Leave.....	35
Personal Leave.....	38
Professional Leave.....	37
Holiday Pay.....	36
Vacation Days.....	36
Sick Leave.....	35
Sick Leave Bank.....	37
Sick Leave Donation Program.....	36

Unpaid Leaves of Absence.....	38
Educational or Professional Leave.....	38
Family and Medical Leave.....	39
Illness, Maternity, or Disability Leave.....	38
Military Leave	40
Short-Term Leave.....	38
EMPLOYMENT POLICIES & PROCEDURES.....	22
Certification	24
Certified Employment.....	23
Classified Employment.....	23
Code of Conduct.....	24
Dress and Appearance.....	24
Child Abuse Reporting	22
Classified Educational Requirements.....	24
Personnel Deadlines.....	26
Personnel Record.....	24
Placement on Salary Schedule.....	23
Plan for Employment of Staff.....	22
Reduction in Force - Certified Employees.....	26
Reduction in Force - Classified Employees.....	26
Resignations.....	26
Superintendent Responsibilities.....	22
Vacancies.....	23
EQUAL EMPLOYMENT OPPORTUNITY.....	9
EVALUATION.....	27
Classified Personnel.....	28
Non-Tenured Teacher.....	28
Tenured Teacher.....	28
HARASSMENT/DISCRIMINATION.....	31
Disciplinary Action.....	32
Prohibited Conduct.....	32
Guidelines.....	32
INSTRUCTIONAL LEADERS' TRAINING.....	49
INSURANCE	40
Health Insurance.....	40
Liability Insurance.....	41
Life Insurance.....	40

Medicare.....	40
Worker’s Compensation.....	40
Notice of Privacy Practices.....	41
OSHA.....	41
ORGANIZATIONAL CHART.....	10
PAYROLL INFORMATION	44
Cafeteria Plan.....	44
College Saving Plan	45
Credit Union.....	45
Dependent Care Reimbursement.....	45
Fair Labor Standards Act.....	46
Compliance with Fair Labor Standards Act Board Policy.....	53
Federal and State Taxes.....	45
Medical Reimbursement.....	45
Overtime.....	46
Tax-Deferred Annuities and 401 (K) Plan.....	45
Unemployment Insurance.....	45
United Way.....	46
POLICY MANUAL INDEX.....	13
PROFESSIONAL CODE OF ETHICS	52
QUESTIONS? WHO TO CALL	11
RETIREMENT	42
Certified Retirement System	42
Classified Retirement System.....	43
SCHOOL BOARD MEETINGS	47
SCHOOL CALENDAR	48
SCHOOL CANCELLATION DUE TO WEATHER CONDITIONS	48
Early Dismissal.....	48
Schools Delayed or Closed.....	48
STUDENT TEACHERS	49
SUBSTITUTE EMPLOYEES	49
USE OF TOBACCO PRODUCTS	21
VOLUNTEERS	50

EQUAL EMPLOYMENT OPPORTUNITY

The Montgomery County Schools shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to recruitment, employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, national or ethnic origin, political affiliation, marital status, age or disabling condition. The school system complies with the non-discrimination requirements in employment as set forth in KRS 161.164, Title IX, Title VI, and section 504 of federal law, and the Americans with Disabilities Act of 1990. Reasonable accommodation shall be provided as required by law. State law does require new employees to undergo a criminal records check as a condition of employment.

Please be advised that nothing in this handbook grants employment beyond that which is granted by law. For any information relative to these provisions, contact the Personnel Director.

ADMINISTRATION

The next several pages contain information relating to Central Office employees. The Organizational Chart lists each administrator's area of responsibility. This chart is included so you will know whom to contact when you have comments, questions, or suggestions.

Following the Organizational Chart is a listing of district programs or areas and the appropriate person to contact when you have questions. Please feel free to call Central Office staff. We want to serve you.

WHO SHOULD I CALL AT THE CENTRAL OFFICE WHEN I HAVE QUESTIONS?

In almost all cases, local school questions can and should be answered by the supervisor involved, or by the principal of the school concerned. For information about district programs or procedures, please contact the following people or departments at Central Office, (859) 497-8760. (If a different number is more appropriate, that number is listed.)

Contact Person Chart

Issue/Concern	Name	Extension
Accounts Payable/Bookkeeping.....	Lori Thompson	251
Accreditation.....	Kelly Foster.....	497-8765
	Dawn Cockrell.....	215
Adult Education/Literacy.....	Louise Summers.....	497-8735
After/Before School Child Care...	Kristie Carter	497-6424
Applications: Certified/Classified....	Jacqui Johnston.....	204
Assessment/Testing.....	Dawn Cockrell.....	215
	Kelly Foster.....	497-8765
Athletics.....	Bart Rison.....	497-8765
Benefits.....	Pam Reffitt.....	206
Bills/Travel Expenses.....	Lori Thompson.....	251
Board Policy Information.....	Rick Mattox.....	497-8770
Certification Renewal.....	Jacqui Johnston.....	204
Community Education.....	Louise Summers.....	497-8735
Curriculum/Instruction Preschool-8th	Dawn Cockrell	215
Curriculum/Instruction Secondary...	Kelly Foster.....	497-8765
District Improvement Plan.....	Dawn Cockrell.....	215
	Kelly Foster.....	497-8765
District Purchasing (bids).....	Tom Hunt	223
Extended School Services.....	Jacqui Johnston.....	204
Facility Rental.....	Louise Summers...	497-8735
Financial Information.....	Gina Amos.....	205
Food Program Services.....	Julie Wessling.....	497-8578
General Information.....	Donna McGuire.....	221
Gifted/Talented.....	Dawn Cockrell.....	222
Grievance Procedures.....	Jacqui Johnston.....	204
Health Insurance.....	Pam Reffitt.....	206
Homebound Instruction.....	Hopey Newkirk.....	396
KTIP.....	Jacqui Johnston.....	204
Leave of Absence.....	Jacqui Johnston.....	204
Maintenance/Custodian.....	Phil Rison.....	497-8707
Paychecks/Salary Information.....	Frances Moore.....	500
Payroll Deductions/W2 Information	Frances Moore.....	500
Personnel Records.....	Jacqui Johnston.....	204
Preschool.....	Tammy McCarty.....	353
Professional Development.....	Dawn Cockrell.....	215
Property-Liability Insurance.....	Tom Hunt.....	223
Public Relations.....	Louise Summers.....	497-8735
Retirement.....	Gina Amos.....	205
School Board Info./Agenda.....	Donna McGuire.....	221

School Councils.....	Mary Alice Collier.....	497-8730
Section 504/ADA.....	Amanda Dennis.....	222
Sick Leave/Sick Leave Bank/Donation	Jacqui Johnston.....	204
Software Technology Inc (STI)...	Lillian Johnson.....	233
Special Education.....	Amanda Dennis.....	222
Substitutes: Certified/Classified	Jacqui Johnston.....	204
Technology.....	Tom Hunt.....	223
Textbooks.....	Dawn Cockrell.....	215
Title I.....	Jacqui Johnston.....	204
Title IX.....	Rick Mattox.....	497-8770
Transportation.....	Karen Gullett.....	497-8797
Bus Garage.....	Teresa Jamison.....	497-8797
Routing.....	Robert Martin.....	497-8798
Truancy/Student Info/Transfers....	Hopey Newkirk.....	396
Unemployment Insurance.....	Jacqui Johnston.....	204
Vocational Education.....	Dale Winkler.....	498-1103
Volunteers.....	Louise Summers.....	497-8735
Worker's Compensation	Wanda Caston.....	235

POLICY MANUAL

The Montgomery County Board of Education has adopted policies relating to the operation of our schools; these are included in the Montgomery County Schools Policy Manual. The Policy Manual is updated on an annual basis.

The Montgomery County Schools Policy Manual is accessible through the school district's internet web site. It is recommended that each employee have a basic knowledge of the contents of this manual.

MONTGOMERY COUNTY SCHOOLS POLICY MANUAL POLICY INDEX

www.montgomery.k12.ky.us

<u>Powers and Duties of the Board of Education</u>	01	Dismissal for Cause of Superintendent	02.1314
Definitions	01.0	Evaluation (Superintendent)	02.14
Legal Status of the Board	01.1	Management	02.3
General Powers and Duties of Board	01.11	Written Petition to Enter (SBDM)	02.411
District Planning	01.111	Voting (SBDM)	02.412
Meetings	01.4	Exemption	02.413
Organizational Meetings	01.41	Alternative Models (SBDM)	02.414
Duties and Responsibilities of Chair/Vice Chairperson	01.411	Election of School Council Members (SBDM)	02.421
Duties and Responsibilities of the Secretary	01.412	School Council Authority (SBDM)	02.422
Duties and Responsibilities of the Treasurer	01.413	School Council Meetings (SBDM)	02.423
Regular Meetings	01.42	School Council Relationships(SBDM)	02.4231
Public Participation in Open Meetings	01.421	School Council Policies (SBDM)	02.4241
Closed Sessions	01.43	Appeal of Decisions	02.42411
Special Called Meetings	01.44	School Budget (SBDM)	02.4242
Board Meeting Agenda	01.45	School Purchasing (SBDM)	02.4243
School Board Policies	01.5	School Personnel	02.4244
Administrative Procedures (Board Policies)	01.51	Training of School Council Members (SBDM)	02.431
Code of Ethics	01.53	Waiver of Board Policies (SBDM)	02.432
Board Records	01.6	Other Board Policies (SBDM)	02.433
Records Management	01.61	School Staffing (SBDM)	02.4331
Board Attorney	01.7	Accountability (SBDM)	02.44
Professional Memberships	01.81	Assessment of Student Progress (SBDM)	02.441
Board Member Expense Reimbursement	01.821	School Improvement Plan	02.442
<u>Administration</u>	02	<u>Personnel</u>	03
Recruitment and Appointment of Superintendent	02.1	<u>Certified Personnel</u>	
Qualifications of Superintendent	02.11	Hiring (Certified)	03.11
Duties of Superintendent	02.12	Physical Examination (Certified)	03.111
Contract of Superintendent	02.131	Certification and Records (Certified)	03.112
Contract Renewal of Superintendent	02.1311	Equal Employment Opportunity (Certified)	03.113
		Transfer of Tenure (Certified)	03.115
		Compensation and Benefits (Certified)	03.12
		Salaries (Certified)	03.212

Salary Deductions (Certified)	03.1211	Reduction in Force (Certified)	03.171
Reduction in Salary and Responsibility	03.1212	Conflict of Interests (Certified)	03.1721
Cafeteria Plan (Certified)	03.1213	Suspension (Certified)	03.173
Holidays (Certified)	03.122	Retirement (Certified)	03.175
Leaves and Absences (Certified)	03.123	Evaluation (Certified)	03.18
Personal Leave (Certified)	03.1231	Professional Development (Certified)	03.19
Sick Leave (Certified)	03.1232	Professional Meetings (Certified)	03.1911
Sick Leave Bank (Certified)	03.12321	Instructional Leaders Training (Certified)	03.1912
Family and Medical Leave (Certified)	03.12322	Classified Personnel	03.2
Maternity Leave (Certified)	03.1233	Hiring (Classified)	03.21
Extended Disability Leave (Certified)	03.1234	Medical Examination (Classified)	03.211
Educational Leave (Certified)	03.1235	Equal Employment Opportunity (Classified)	03.212
Emergency Leave (Certified)	03.1236	Non-teaching Assistant Coaches (Classified)	03.2141
Jury Leave (Certified)	03.1237	Compensation and Benefits (Classified)	03.22
Military Leave (Certified)	03.1238	Salaries (Classified)	03.221
Insurance (Certified)	03.124	Salary Deductions (Classified)	03.2211
Expense Reimbursement (Certified)	03.125	Cafeteria Plan (Classified)	03.2212
Tuition-Free Enrollment of Children (Certified)	03.127	Holidays and Vacations (Classified)	03.222
Assignment (Certified)	03.131	Leaves and Absences (Classified)	03.223
Transfer (Certified)	03.1311	Personal Leave (Classified)	03.2231
Promotion (Certified)	03.1312	Sick Leave (Classified)	03.2232
Demotion (Certified)	03.1313	Sick Leave Bank (Classified)	03.22321
Supervision (Certified)	03.132	Family and Medical Leave (Classified)	03.22322
Use of School Property (Certified)	03.1321	Maternity Leave (Classified)	03.2233
Use of Phones	03.13211	Extended Disability Leave (Classified)	03.2234
Gifts (Certified)	03.1322	Educational Leave (Classified)	03.2235
Solicitation (Certified)	03.1323	Emergency Leave (Classified)	03.2236
Political Activities (Certified)	03.1324	Jury Leave (Classified)	03.2237
Disrupting the Educational Process (Certified)	03.1325	Military Leave (Classified)	03.2238
Drug-Free/Alcohol-Free School (Certified)	03.13251	Insurance (Classified)	03.224
Dress and Appearance (Certified)	03.1326	Expense Reimbursement (Classified)	03.225
Use of Tobacco (Certified)	03.1327	Tuition-Free Enrollment of Children (Classified)	03.226
Duties (Certified)	03.133	Assignment (Classified)	03.231
Outside Employment or Activities (Certified)	03.1331	Transfer (Classified)	03.2311
Hours of Duty (Certified)	03.1332	Promotion (Classified)	03.2312
Extra Duty and Responsibility (Certified)	03.13331	Demotion (Classified)	03.2313
Staff Meetings (Certified)	03.1335	Supervision (Classified)	03.232
Health and Safety (Certified)	03.14	Use of School Property (Classified)	03.2321
Personnel Records (Certified)	03.15	Use of Cell Phones	03.23211
Grievances (Certified)	03.16	Gifts (Classified)	03.2322
Harassment/Discrimination (Certified)	03.162	Solicitations (Classified)	03.2323
Termination/Nonrenewable/ Separation by Employee	03.17	Political Activities (Classified)	03.2324
		Disrupting the Educational Process	

(Classified)	03.2325	Management of Financial Records	04.81
Drug-Free/Alcohol-Free Schools		Audits	04.9
(Classified)	03.23251	Financial Statements	04.91
Dress and Appearance (Classified)	03.2326		
Use of Tobacco (Classified)	03.2327	<u>School Facilities</u>	05
Duties (Classified)	03.233	Construction	05.1
Outside Employment or Activities		Alterations of Buildings and Grounds	05.11
(Classified)	03.2331	Maintenance (School Facilities)	05.2
Hours of Duty (Classified)	03.2332	Principal's Responsibility for School	
Health and Safety (Classified)	03.24	Property	05.21
Personnel Records (Classified)	03.25	Compliance with FCC Regulations	05.22
Grievances (Classified)	03.26	Community Use of School Facilities	05.3
Harassment/Discrimination		Rental Application and Contract	05.31
(Classified)	03.262	Public Sales on School Premises	05.32
Discipline, Suspension, and Dismissal		Use of Equipment	05.33
(Classified)	03.27	Building Safety	05.4
Reduction in Force (Classified)	03.271	Fire Drills	05.41
Non-renewal (Classified)	03.2711	Building Lockdowns	05.411
Conflict of Interest (Classified)	03.2721	Tornado Drills	05.42
Retirement (Classified)	03.273	Bomb Threats	05.43
Evaluation (Classified)	03.28	Crowd Control	05.45
Staff Development (Classified)	03.29	Earthquakes	05.47
Substitute Teachers (Classified)	03.4	Weapons	05.48
Teachers' Aides (Classified)	03.5	Security (Facilities)	05.5
Volunteers (Classified)	03.6	Property Insurance	05.6
Temporary and Substitute Employees		Recycling	05.7
(Classified)	03.7		
		<u>Transportation</u>	06
<u>Fiscal Management</u>	04	Bus Fleet	06.1
Budget Planning and Adoption	04.1	Purchase	06.11
Administrative Procedures		Maintenance (Bus Fleet)	06.12
(Budget Planning)	04.11	Fuel and Equipment	06.13
Internal Account Budgets	04.12	Authority for Use of Buses	06.14
Depositories	04.2	Safety (Transportation)	06.2
District Accounts (Depositories)	04.21	Inclement Weather	06.21
Internal Accounts	04.22	Bus Drivers' Responsibilities	06.22
Authority to Encumber and		Bus Driver's Use of Tobacco	
Expend Funds	04.31	and Other Substances	06.221
District Accounts		Driver and Substitute Driver	
(Purchasing and Payroll)	04.311	Training	06.23
District Issuance of checks	04.3111	Bus Scheduling and Routing	06.31
District Petty Cash	04.3114	Eligibility for Transportation	06.32
School Activity Funds	04.312	Regular Bus Stops	06.33
Internal Petty Cash	04.3122	Conduct on Bus (Transportation)	06.34
Procurement	04.32	Hazards in and on Bus	06.342
Bonding of Employees	04.4	Insurance (Bus Fleet)	06.4
Revenue Bonds	04.5	Use of Buses by Outside Groups	06.5
Investments	04.6	<u>Support Services</u>	07
Inventories	04.7	Food Services	07.1
Disposal of School Property	04.8	Free and Reduced-Price Meals	07.11

Competitive Foods	07.111	Adult/Community Education	08.4
Vending Machines	07.12	Program Evaluation	08.5
Bidding of School Food Service		Annual Performance Report	08.51
Supplies	07.13		
Financial Reports of Lunchrooms	07.14	<u>Students</u>	09
Food Service Employees	07.16	School Attendance Areas	09.11
Service Notification	07.161	Admissions and Attendance	09.12
Service Termination for		Entrance Age	09.121
Food Service Employees	07.162	Attendance Requirements	09.122
		Part-time Students	09.1221
		Nonresident Students	09.1222
<u>Curriculum and Instruction</u>	08	Persons Over Compulsory	
Curriculum	08.1	Attendance Age	09.1223
Course of Study	08.11	Absences and Excuses	09.123
Preschool Education	08.1114	Dismissal from School	09.1231
Graduation Requirements	08.113	Release of Students and Student	
Alternative Credit Options	08.1131	Information to Parents	09.12311
Early Graduation	08.1132	Tuition	09.124
Dual Credit	08.1133	Student of Military Families	09.126
Instructional Organization	08.12	Equal Educational Opportunities	09.13
Students With Disabilities	08.131	Student Records	09.14
Home/Hospital Instruction	08.1312	Student Fees	09.15
Gifted and Talented Students	08.132	Student Welfare	09.2
Continuing Education-Extended		Health Requirements and Services	09.21
School Services	08.133	Health Care Examination (Students)	09.211
Federal Funding	08.1345	Contagious Diseases and Parasites	09.213
Title 1-Parent Involvement Policy	08.13451	Student Safety	09.22
English as a Second Language	08.13452	Supervision of Students	09.221
Physical Education	08.1346	Employee Report of Criminal Activity	09.2211
Pledge of Allegiance	08.1351	Bicycle Use	09.222
Character Education	08.1352	Automobile Use	09.223
Controversial Issues	08.1353	Emergency Medical Treatment	09.224
Summer School	08.136	Dispensing Medication	09.2241
Head Start	08.137	Safety Patrols	09.225
Guidance	08.14	Conduct on School Bus	09.226
At Risk Students	08.141	Child Abuse	09.227
Homework	08.211	Student Insurance	09.23
Promotion and Retention	08.22	Student Activities	09.3
Grading	08.221	Athletics	09.31
Academic Honors Program	08.2211	Safety (Athletics)	09.311
Assessment	08.222	Insurance (Athletics)	09.312
Supplies and Materials	08.232	Eligibility (Athletics)	09.313
Copyrighted Materials	08.2321	Student Organizations	09.32
Review of Instructional Materials	08.2322	Clubs	09.321
Access to Electronic Media	08.2323	Use of School Facilities by	
Library Media Center	08.233	Noncurriculum-Related	09.3211
Previewing Materials	08.234	Student Government	09.322
School Calendar	08.3	Fund-Raising Activities	09.33
School Day	08.31	Student Publications	09.34
School Term	08.32	Social Events	09.35
Emergency Closings	08.33		

School-Related Student Trips	09.36
Admission Fees	09.37
Admission to Athletic Events	09.371
Student Behavior	09.4
Pregnant and Married Students	09.41
Student Conduct	09.42
Care of School and Personal Property	09.421
Hazing	09.422
Use of Alcohol, and Other Controlled Substances	09.423
Tobacco (Students)	09.4232
Assault and Threat of Violence	09.425
Disrupting the Educational Process (Students)	09.426
Telecommunication Devices	09.4261
Grievances (Students)	09.4281
Harassment/Discrimination (Students)	09.42811
Driver's License Revocation	09.4294
Student Disciplinary Processes	09.43
Due Process	09.431
Detention	09.432
Corporal Punishment	09.433
Suspension (Students)	09.434
Alternative Education	09.4341
Expulsion	09.435
Search and Seizure	09.436
Police Officers in the School	09.4361
Student Discipline Code	09.438
<u>Community Relations</u>	10
Public Information Program	10.1
Access to Public Records	10.11
Citizen Suggestions and Complaints	10.2
Civility	10.21
Relationships with Community Organizations	10.3
Advertising and Distribution of Materials in the Schools	10.4
Visitors to the Schools	10.5

DRUG-FREE/ALCOHOL-FREE SCHOOLS

PURPOSE

The Board recognizes that alcohol and substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Alcohol and substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, impaired judgment, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. The Board and its employees share a commitment to create and maintain a drug/alcohol-free workplace.

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

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

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to [KRS 218A.020](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs and prohibited volatile substances as defined in [KRS 217.900](#) that are used or intended for use for an abusive and/or intoxicating purpose.

ALCOHOL AND DRUGS

Employees on duty or on Board property or in attendance at District/school approved or related functions shall not be under any degree of intoxication or influence of controlled drugs, many prohibited substances, or alcohol. Employees shall not take controlled drugs without the prescription of a qualified health professional, nor shall employees take prescription drugs above the level prescribed by the health professional. Employees shall not dispense drugs except as provided in Board policy.

Other Substances

Employees of the District shall not operate a District-owned motor vehicle while under the influence of alcohol or any other substance, whether legally prescribed or otherwise, which may impair their ability to safely operate the vehicle. Employees found to be under the influence of such substance, while in a duty status, may be suspended pending further disciplinary action.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

PRE-EMPLOYMENT TESTING

Applicants shall be required to undergo testing for drugs/alcohol as part of the required pre-employment physical.

RANDOM SCREENING/TESTING

Due to the “safety-sensitive” nature of work performed by District employees and the potential impact of that work on children, the Board has established a random drug/alcohol-testing program for all District employees.

REASONABLE SUSPICION TESTING

If a supervisor has reason to believe an employee is under the influence of or impaired by alcohol or drugs in the workplace, the supervisor may require the employee to undergo alcohol testing by a portable breathalyzer test administered by a law enforcement officer and/or blood/urine test administered by a medical facility of the District’s choice. If test results confirm the employee was under the influence of alcohol or illegal drugs in the workplace, the employee shall be subject to disciplinary action, including termination, or may be referred to a treatment program of the District’s choice.

TESTING PROGRAM FOR TRANSPORTATION EMPLOYEES

In addition to the District’s random testing program, District transportation employees, including substitutes, shall participate in all required state and federal testing programs.

POST ACCIDENT TESTING

Employees involved in traffic accidents while driving a Board owned vehicle shall report the accident or violation immediately to his/her supervisor, who shall arrange for immediate drug/alcohol screening for the driver of the Board owned vehicle. Employees permitted to drive Board-owned vehicles during off-duty hours must consent in writing to be subject to post-accident testing as a condition of being assigned the vehicle.

REFUSAL TO PROVIDE SAMPLE

An applicant refusing to complete any part of the pre-employment-testing procedure shall not be considered a valid candidate for employment with the District, and such refusal shall be considered as a withdrawal of the individual’s application for employment.

REFUSAL TO PROVIDE SAMPLE

An employee's refusal to submit to random, reasonable suspicion or post-accident screening/testing may be grounds for disciplinary action, including termination of employment.

Failure to provide a requested sample after three (3) attempts shall constitute a refusal to comply.

WORKPLACE DEFINED

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

SUSPENSION/TERMINATION/NON-RENEWAL

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

ALTERNATIVE

As an alternative, the Superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program or other programs as approved by the Superintendent. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they 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.

CONFIDENTIALITY

The Superintendent shall develop a process to reasonably ensure employee privacy during the taking of samples, security of samples once obtained and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect confidentiality throughout the testing process and in the handling of test results. Access to drug testing results shall be restricted to those persons designated by the Superintendent.

Notification by Employee

An employee arrested for a criminal drug or alcohol offense shall immediately (prior to the beginning of the next work day) notify the Superintendent of his/her arrest. The Superintendent may require drug/alcohol screening prior to the employee returning to work. If convicted, the Superintendent shall take appropriate disciplinary action and/or refer the employee to an appropriate alcohol/substance-abuse rehabilitation program at the employee's expense.

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

POST-DISCIPLINE DRUG TESTING

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees, which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

Adopted/Amended: 03/24/2008

Use of Tobacco Products

The use of tobacco products is prohibited in any building owned or operated by the Board.

EMPLOYMENT POLICIES AND PROCEDURES

Montgomery County Schools Plan for Employment of Staff

The Board's policies with reference to employment have been formulated in recognition of the existing state and federal laws, which provide equal nondiscriminatory opportunity to all persons.

The Board of Education, acting through its Superintendent and staff, is committed to providing the best possible educational opportunities for the students of the Montgomery County School System and in the furtherance of this commitment, the Superintendent and staff are committed to selecting the most highly qualified staff available.

The Superintendent and staff will work to ensure that the schools are administered in a manner which will not discriminate against any employees or applicants for employment, either in recruiting, hiring, placement, training, reduction, transfer, promotion or termination because of race, color, national origin, age, religion, martial status, sex, or disability.

Dissemination Of Policy

The Board of Education will make copies of its plan of employment available to the public and employees in the district.

Superintendent Responsibilities

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

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹ shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with [KRS 620.030](#).²

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities.

The person reporting shall, if requested, in addition to the report required above, file with the agencies listed, within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

Vacancies

A job register shall be maintained in the Personnel Office and shall list all current job openings in the district. A list of job openings shall also be posted in the office area/staff lounge of each school building. Classified job openings will be listed on the district website under personnel department. The Classified list shall be updated on a timely basis. Certified job openings will be listed on the Kentucky Department of Education web site. Interested employees should notify the Personnel Office for additional information or transfer requests.

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.

Certified Employment

A candidate for a position shall be duly certified by the Education Professional Standards Board and shall be employed by the Superintendent. Teachers employed for the first time by Montgomery County Schools shall be employed on a limited contract for a period of one school year, or a portion thereof. Limited contracts expire June 30th of each year. A teacher who has been employed for four (4) full years without a break in contract, or who has taught four (4) out of six (6) years in the district, shall, if reemployed, be given a continuing contract. The term “continuing contract” means a contract for the employment of a teacher, and remains in full force and effect until it is terminated or suspended as provided by state law or local Board policy.

Continuing contract status refers to employment in the school district, and not to assignment to a particular school, subject area, or grade level. A teacher who has attained a continuing contract status in another Kentucky school district shall be employed on a limited contract during the first year of his/her employment in the Montgomery County Schools. If such teacher is re-employed, the teacher shall be given a continuing contract.

Classified Employment

Classified employees shall be employed under an annual contract wherein services to be rendered and other conditions of employment shall be stated. Annual contracts expire June 30th of each year. At the time of employment or change in job assignment, employees shall receive a copy of their job description and responsibilities.

Placement on Salary Schedule

A **certified** employee shall be credited on the teacher salary schedule for rank as determined by the Kentucky Department of Education and recorded on the employee’s official teaching certificate. Changes in rank occurring during the school year shall not be credited until the next year. An employee shall be credited on the salary schedule for professional experience as defined in 702 KAR 3:070 and officially validated by the teacher’s employer. It is the employee’s responsibility to notify the Superintendent/Personnel Director of all teaching experience. A certified employee must be employed for at least 140 days to receive a year’s experience credit.

A **classified** employee will be placed on the appropriate salary schedule according to job assignment i.e. bus driver, assistant, etc. A newly hired employee starts at 0 years of

experience regardless of his/her employment history. A classified employee who terminates his/her position in the school system and then is rehired, he/she is rehired with 0 years of experience. Experience credit and movement to the next level on the salary schedule is granted for the previous year's employment if employee works at least 78% of his/her contracted time. A classified employee who transfers from job classifications within the district is allowed to carry his/her years of experience with them, but not his/her rate of pay.

Code Of Conduct

The Montgomery County School System adheres to the Professional Code of Ethics. The Professional Code of Ethics outlines the rights and responsibilities of students, parents, and employees of the district. A copy can be found in the back of this handbook. All employees are encouraged to be familiar with its provisions.

Certification

The Board sets certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements.

All certified staff appointed to positions requiring Kentucky certification shall present to the Personnel Office an original of the required certificate prior to assuming the duties of the position. It is the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times.

Classified Educational Requirement

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or GED certificate, or shows progress toward obtaining a GED. To show progress toward obtaining a GED, a person shall be enrolled in a GED program and be progressing satisfactorily through the program, as defined by administrative regulations promulgated by the commissioner of the Department for Adult Education and Literacy. Employees shall obtain their GED certificate within two (2) years of employment.

Dress and Appearance

Montgomery County School System strives to provide a learning environment consistent with the purpose of educating children. All employees shall dress professionally, and in a manner commensurate with their professional responsibilities. Principals and Supervisors will discuss acceptable attire according to Policy 03.1326 (certified) and Policy 03.2326 (classified).

Personnel Record

Each **certified** employee must have on file in the personnel office the following documents:

Application
Current certificate of legal qualifications

- National and State criminal history background check
- Transcript with official seal
- Personal background and work history references
- I9 form
- Letter of notification of employment
- Signed job description
- Employment contract
- Professional Growth Plan
- Evaluation
- Complete Physical with TB Risk Assessment
- Drug Test (effective 2005)

All newly employed certified personnel shall present documentation in the form of a medical examination and pass a drug test before assuming duties. The medical information must be reported on the KDE Medical Examination of School Employees form. Each medical examination shall include a skin test or x-ray for tuberculosis. The certified employee will assume the cost for the medical exam. When in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing.

Each **classified** employee must have on file in the personnel office the following documents:

- Application
- Certificate of legal qualifications if applicable, high school diploma, GED, or progress toward GED
- National and State criminal history background check
- Personal background and work history references
- I9 form
- Letter of notification of employment
- Signed job description
- Employment contract
- Evaluation
- Complete Physical with TB Risk Assessment
- Drug Test (effective 2005)

School Bus Drivers Only:

- Drug Test
- Annual medical exam
- Commercial drivers license
- Pass pre-employment road test
- Annual 8-hour in-service update prior to beginning of the new school year

As a condition of initial employment, all classified employees shall pass a medical examination and drug test before assuming duties. The medical information must be reported on the KDE Medical Examination School Employee form. Each medical

examination shall include a skin test or x-ray for tuberculosis. The School Board has approved a list of physicians who will perform the medical exam and will assume the cost of the exam. When in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing.

Resignations

Certified employees resigning from positions at the end of the school year are encouraged to submit this notification in writing to the Superintendent no later than June 1st. (No certified employee shall be permitted to terminate his/her contract within fifteen [15] days prior to the beginning of the school term without the consent of the Superintendent.) Teachers requesting release from contract during the school year should notify the Superintendent immediately. Requests for release from contract other than for emergency reasons shall state that the teacher is willing to remain until a satisfactory replacement can be employed.

Classified employees requesting release from contract during the school year shall submit a written resignation at least ten (10) calendar days prior to the date they intend to end their employment with the Board.

Reduction in Force - Classified Employees

The Superintendent shall have full authority to make reduction in force due to reductions in funding, enrollment, changes in the district or school boundaries, or other compelling reasons as determined by the Superintendent. If reduction becomes necessary, Board Policy 03.271 (Reduction in Force) will be followed.

Reduction in Force - Certified Employees

When by reason of decreased enrollment of pupils, or by reason of suspension of schools or territorial changes effecting the district, the Superintendent decides that it shall be necessary to reduce the number of teachers, he shall have full authority to make a reasonable reduction in force. Board Policy 03.171 will be followed.

Personnel Deadlines

Non-renewal of Certified Limited Contract Employee: Superintendent must present written notice of the non-renewal to the teacher no later than May 15. KRS 161.750 (2).

Non-renewal of Classified Employees: Superintendent must provide or mail written notice of the non-renewal to the employee no later than May 15. KRS 161.011 (5).

Reduction in Responsibility of Certified Employee: Where an administrator is being demoted, or a teacher's extra duty or extended employment is being reduced, written

notification of the reduction of duties and corresponding reduction in salary must be provided by the Superintendent to the employee not later than ninety (90) days before the first student attendance day or by May 15 (whichever is earlier) of the school year. The notice must include the specific reason for the reduction. KRS 161.760 (3).

NOTE: *Reduction in Responsibility of Classified Employees: Written notification, by a certain date is not required by law.*

Transfer or Change in Appointment of a Teacher: Transfer or change in appointment of teachers must be provided (30) days before the first student attendance day. Transfers or changes in appointment of teachers later than (30) days before the first student attendance day are limited to the grounds set out in statute, KRS 161.760 (2).

NOTE: *Transfer or change in appointment of a classified employee may be changed and he/she reassigned by the Superintendent at anytime, with or without cause, and without notice to the employee.*

Notice of Best Estimate of Certified Salary: The superintendent must provide to each teacher a written best estimate of salary to be paid the teacher for that year, not later than forty-five (45) days before the first student attendance day for that year or by June 15 (whichever is earlier). KRS 161.760(1)

NOTE: *Notice of Best Estimate of Classified Salary for Classified Employees: Written best estimate of classified salary by a certain date is not required by law.*

EVALUATIONS

Every school system employee must be evaluated by his/her immediate supervisor. Copies of these evaluations are on file in the Personnel Office. The purpose of the evaluation system shall be to: improve instruction, provide a measure of performance accountability to citizens, foster professional growth, and provide encouragement and incentive for employees to improve performance, and support individual personal decisions. Teachers shall be evaluated by the principal or principal's designee; other employees may be evaluated by their immediate supervisor.

Employees shall be informed of their job requirements and the procedures associated with the evaluation process. The employee shall receive notice of the results of the evaluation and the employee and supervisor shall review the results of the evaluation. The evaluator shall emphasize strengths as well as deficiencies, propose corrective action if needed and recommend improvements. Certified employees who disagree with their evaluation may submit a written appeal to the District Evaluation Appeals Panel. The appeals panel consists of two members elected by and from the certified employees of the District and one certified employee appointed by the Board.

Evaluations

Non-Tenured Teacher

- Intern teachers shall follow all rules and regulations as set forth by the Kentucky Teacher Internship Program. A copy of the Internship Summary Form shall be placed in the intern's personnel file and shall serve as the summative evaluation.
- Each non-tenured teacher (other than interns) will have a minimum of two (2) formative observations yearly, one per semester, the last of which may be combined with the required summative evaluation.
- Additional observations will be conducted with non-tenured teachers where concerns exist on initial observation results or when requested by the evaluator.
- An individual growth plan will be completed and/or reviewed annually by all certified employees. Plans shall be aligned with the school district improvement plan. Plans must be approved by the evaluator by October 1.

Tenured Teacher

- Each tenured teacher will have a minimum of one (1) formal observation every three (3) year period when results are satisfactory. Multiple observations shall occur when results are unsatisfactory.
- Although teachers can be called into the evaluation process in any academic year (at least once every three years), it is important to understand that formative data is collected every year. The summative (formal process) will reflect the performance since the last evaluation
- An individual growth plan will be completed and/or reviewed annually by all certified employees. Plans shall be aligned with the school district improvement plan. Plans must be approved by the evaluator by October 1.
- Additional observations will be conducted with tenured teachers where concerns exist on initial observation results or when requested by the evaluatee or evaluator.

Classified Personnel

- All classified employees are to be evaluated once a year, prior to June 1st by their immediate supervisor.
- Conferences can be scheduled (by the evaluator or administrator in charge) at any time between evaluation periods that deficiencies appear. If a deficiency occurs, a conference will be held with the employee. The deficiency will be discussed at the conference and the evaluation will document this discussion. If documentation reflects lack of improvement on a deficiency over a period of time, the employee's evaluation instrument will reflect this unsatisfactory performance. Employees may request a conference at any time.
- Assistance growth plans are to be completed by each classified employee who receives a check mark on the evaluation instrument in the areas of "unsatisfactory" or "needs improvement".
- An employee may appeal his/her evaluation. (Refer to Board Policy 0328:AP.1)
- Completed "classified" evaluation documents and an employee's growth plan (if an "assistance" growth plan is used) are to be submitted to the district's Personnel Office no later than June 15th each year.

DISCIPLINE

Termination/Non-renewal/Separation by Employee

Certified

The contract of a **teacher** shall remain in force during good behavior and efficient and competent service by the teacher and shall not be terminated except for any of the following causes:

- Insubordination
- Immoral character or conduct unbecoming a teacher
- Physical or mental disability
- Inefficiency, incompetence, or neglect of duties

No contract shall be terminated except upon notification of the Board from the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.

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

Non-renewal of limited contracts of **certified** personnel shall be made in compliance with the requirements of KRS 161.750.

Classified Personnel

Discipline, Suspension and Dismissal of Classified Employees

DISCIPLINARY OPTIONS

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

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or private reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Public reprimand by Superintendent
6. Suspension without pay by Superintendent
7. Non-renewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

ACTIONS WHICH MAY REQUIRE HEARING PROCEDURES

Only the Superintendent may issue a public reprimand, suspend without pay or terminate a classified employee. Subject to the employee's exercise of applicable hearing rights, these personnel actions shall be effective on the employee's receipt of written notice from the Superintendent. Subject to the completion of any pending administrative hearing procedure on the action, the Superintendent shall notify the Board at the first meeting following a public reprimand, suspension without pay, or termination and such notification shall be recorded in the Board minutes.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee may be relieved from duty for the remainder of the work day (without loss of pay for the affected portion of the day) by the immediate supervisor, pending a review of the facts or allegations, when such time is needed to protect health or welfare of students or staff or to prevent disruption of the educational process.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the health, safety, or welfare of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to conduct an investigation and to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed ten (10) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond ten (10) days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

Causes for Action

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

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.
2. Reporting to work under the influence of or use or possession of alcohol or controlled substances while on duty, or the illegal use or possession of controlled substances at any time.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
5. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
6. Refusal to comply with safety directives.
7. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.

8. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
9. Being convicted of or entering an “Alford” plea or plea of nolo contendere to a felony or any crime (including misdemeanors) involving moral turpitude or illegal transactions with minors or students.
10. Immorality, misconduct, or conduct unbecoming a school employee.
11. Loss of licensure or certification required for this position.

DUE PROCESS PROVISIONS (SUSPENSION WITHOUT PAY/TERMINATION)

The Superintendent shall develop/adopt procedures to provide adequate due process, covering matters that may result in public reprimand, suspension without pay or termination of classified employees. The procedures shall address, but are not limited to notice, opportunity to be heard, right to counsel, conducting a hearing (if requested), and the rendition of a decision or action.

Employees shall be provided written notification of the charges that may result in a public reprimand, suspension without pay or termination. The notification shall include a statement of the right to a hearing and a form, the signing and filing of which with the Superintendent shall constitute a demand for a hearing and a denial of the charges. If an employee wishes to request a hearing, the employee shall present the appropriate form to the Superintendent within ten (10) calendar days of the receipt of the written notification of the charges. If the employee does not file the demand for a hearing within the ten (10) day period, final personnel action may be taken or completed without a hearing or further proceedings.

Employees who are terminated and/or non-renewed for cause by the District shall lose employee benefits and not be considered for any future employment by the District.

Other Disciplinary Actions

When disciplinary actions other than public reprimand, suspension without pay or termination, are at issue, employees may submit a written response, which shall be placed in their file along with any documentation of the disciplinary action.

Adopted/Amended: 12/19/2005

Harassment/Discrimination

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex or disabilities of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

Harassment or 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.

Prohibited Conduct

Examples of conduct and/or actions prohibited under this policy include, but are not limited to:

1. Name calling, stories, jokes, written materials, pictures that are lewd, vulgar, or profane, or objects that are offensive to one's gender, race, color, national origin, religion, or disability;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Being subjected to unwelcome sexual remarks in the context of the workplace;
4. Impeding the work of an employee by questioning the ability to do the required work based on the gender, race, color, religion, national origin or disability of the employee; and
5. Limiting access to tools based on the employee's gender, race, color, religion, national origin or disability.

Disciplinary Action

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment. See Policy 03.162 (certified) and Policy 03.262 (classified) for appropriate reporting and Investigations and Appeals forms.

GUIDELINES

Employees who believe they have been a victim of an act of harassment/discrimination or who have observed incidents involving students or other employees that they believe to be an act of 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. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

Employee Grievance

Employees are entitled to the opportunity to have complaints or problems addressed and resolved by their supervisor in an orderly manner and within a reasonable time frame. Complaints and problems should be initially addressed at each level of the chain of command from the point of origin.

Every employee shall have the right to appeal administrative decisions to the next higher level, and finally, to the Board. The Board will hear (consider) grievances only after unsuccessful resolution by the employee's supervisor. It should be noted that administrative decisions concerning the appointment, suspension, dismissal, promotion, demotion, or

transfer of employees shall be made only by the Superintendent, and may not be appealed to the Board. Employees may also participate in a formal “grievance” procedure that is governed by Board policies and regulations.

A summary of the grievance procedure printed below, and copies with specific timelines and forms may be obtained in the Central Office, each school office or the district internet web site.

Procedures

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

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 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.
6. An employee may grieve misapplication of Board policies, administrative rule or procedure relative to the specific job description or employment contract of the employee filing the grievance.

Time Limits

1. Grievances must be initiated by the individual grievant within ten (10) working days of the incident prompting the filing of the grievance.
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 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.

EMPLOYEE LEAVE BENEFITS

Statement of Policy

It is the policy of the Montgomery County Board of Education to provide leave benefits to all Board employees in accordance with the regulations set forth by the Kentucky Department of Education and the Montgomery County Board of Education Policy Manual and any amendments and deletions thereto.

Leaves of Absence With Pay

Sick Leave

All classified staff are awarded 10 sick leave days per year. Certified employees working 200 or less days per year are awarded ten (10) sick leave days each school year of employment. Certified employees working 201-220 days are awarded 11 sick leave days and those working 221 days or more are awarded 12 sick leave days per year. Unused sick leave days may accumulate without limit, and upon verification. A certified employee may transfer unused sick leave accumulated in another Kentucky school district if transfer is after July 15, 1981.

Employees are not paid for unused sick leave at the time of termination. However, the Board will compensate employees at the time of retirement for each unused sick day at the rate of 30% of the daily salary. (see board policy 03.175 and 03.273.) Upon death of an employee in active contributing status who was eligible to retire by reason of service, shall compensate the estate of the employee.

Sick leave is to be used for 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.

Prior to taking sick leave, employees must notify their supervisor, unless emergency circumstances prevent advance notification.

Upon return to work, an employee claiming sick leave must file a personal affidavit and/or a certificate from 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.

Maternity Leave

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232 (certified) and 03.2232 (classified).

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Those days shall be taken within six (6) weeks of the date the employee gives birth or adopts a child. Additional sick leave days may be requested when the need is verified by a physician's statement.

Holiday Pay

Full time employees shall be eligible for the following four (4) paid holidays: Labor Day, Thanksgiving, Christmas, and New Year's Day. Classified employees on 240 or more days shall also observe Independence Day as a paid holiday. The Superintendent may require, for security or other reasons, certain classified personnel to work on holidays. In this case, the employee shall be granted the holiday on another day.

Vacation Pay

Vacation days for classified employees on 240 or more days are earned at the rate of one (1) per month. Full-time classified employees are not eligible for vacation days until after (3) full months of employment. Vacation days may accumulate up to thirty (30) days. Any days in excess of thirty (30) must be taken by October 1 of each year or the classified employee will lose the vacation days. Vacation days must be approved in advance by the supervisor. (Certified employees do not receive vacation days.)

Sick Leave Donation Program

The district has established a sick leave donation program to permit certified and classified employees who have accrued more than fifteen (15) days of sick leave to voluntarily contribute sick leave to another certified or classified employee who is in need of an extended absence from work.

An employee may receive donations of sick leave if:

1. The employee suffers from a catastrophic loss to his/her personal or real property, due to either natural disaster or fire, that either has caused or will likely cause the employee to be absent for at least (10) consecutive working days; and/or;
2. The employee or a member of his/her immediate family suffers from a medically certified illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to be absent for at least ten (10) days;
3. The employee has completed and returned the "Request to Receive Donated Sick Leave" from and, when the reason can be certified medically, attached to this form a statement from a licensed physician certifying the need for the absence and cause of leave.
4. The employee has exhausted his/her accumulated sick leave, personal leave, emergency leave and any other leave granted by the Board; and
5. The employee has complied with the District's policies governing the use of sick leave.

Any sick leave that remains unused shall be returned to the employee donating the leave. Applications are required for the use of the Sick Leave Donation Program and are available from the Personnel Office or Principal's office.

Sick Leave Bank

The purpose of the sick leave bank is to provide eligible employees who have exhausted their accumulated sick leave and other available paid leave days the means of obtaining additional sick leave days. All employees who receive sick leave benefits may contribute to and draw from the sick leave bank. Only those employees contributing sick leave to the bank may draw from it.

More detailed regulations concerning the use of the sick leave bank are available from a sick leave bank representative located at each school. Contact your principal's office or the District Personnel Office for the name of the representative in your school. Applications are required for use of the Sick Leave Bank and are available from the Personnel Office.

Professional Leave

Employees requesting approval of absence in order to attend conferences, workshops, or other professional training activities must complete the "Employee Request for Leave" form, and submit it to their immediate supervisor for approval. The request must then be approved by the Superintendent. Overnight stays or out of state travel requests must be submitted to the Superintendent's office in advance.

NOTE: *Requests not identifying funding sources will not be approved.*

Emergency Leave

All employees shall be entitled to three (3) days of emergency leave each year. Emergency leave does not accumulate and must be approved by the Principal/Supervisor and the Superintendent. Emergency leave shall be granted for the following reasons:

1. Death of a relative or personal friend;
2. Court appearances when the employee's presence is required. This is not to include jury duty;
3. Personal disasters of the magnitude of tornadoes, fires, floods, etc. (This applies only in cases not covered by sick leave.)
4. Such other reasons of an emergency or extraordinary nature as approved by the Superintendent or designee.

Employees taking emergency leave must file an Employee Request for Leave form upon their return to work stating the specific reason(s) for their absence.

Jury Duty Leave

Any employee who serves on a jury in any duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay, for the period of **actual** jury service. Being called does not warrant a day with pay. The employee will only be compensated for time served on the jury.

On the day of jury duty, the employee **must** report to work. The employee's immediate supervisor will release the employee to report to jury duty. If the employee does not serve on the jury, the employee must return to his/her worksite.

Please make arrangements for personal transportation from worksite to courthouse. (For additional information, refer to Board Policy 03.1237 (certified) and 03.2237 (classified).

Personal Leave

All full time employees shall be entitled to one (1) day of personal leave each school year. The personal leave day must be taken in whole day increment. Request to use personal leave should be submitted in advance and shall be subject to approval of the immediate supervisor. No reason shall be required for the leave. For positions requiring a substitute, approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

Personal leave shall not be taken during the first three (3) days or the last three (3) teaching days in the school year, or on the first work day following a holiday or vacation, or on the last work day before a holiday or vacation without special approval by the Superintendent/designee. Employees requesting personal leave must fill out an "Employee Request for Leave Form".

Personal leave days not taken during the school year shall be transferred and credited to the employee's accumulated sick leave account.

Leaves of Absence without Pay

Short-Term Leave

The Superintendent at his/her discretion may grant short-term leave without pay to any employee for extenuating circumstances when other leave is not available. In deciding upon requests for and the length of such leave, the Superintendent shall consider the obligation of the employee to the instructional program and to continuity of service in the classroom.

Educational or Professional Leave

Upon written request by the employee, the Board may grant a leave (without pay) not to exceed two (2) consecutive years for educational or professional purposes. Written applications for educational/professional leave must be submitted at least sixty (60) days before leave is to begin. On return from leave, the employee shall resume his/her contract status and be entitled to a comparable position for which he/she is qualified. Placement in the same position or the same school cannot be guaranteed.

Illness, Maternity, or Disability Leave

Upon written request by the employee, the Board shall grant an employee leave (without pay) for a serious health condition, maternity or other disabilities. The employee must submit a written request for such leave including the reason for the leave and/or certificate of medical disability from a licensed physician. The Superintendent may require

the employee to secure a licensed physician's verification of disability. The parent of a newborn, or an employee, who adopts a child or children, shall be granted unpaid leave of absence not to exceed the remainder of the school year. Thereafter, leave may be extended in increments of one (1) year.

NOTE: *An employee may use up to 30 days of sick leave following birth or adoption of child(ren). These days shall be taken within 6 weeks of the date the employee gives birth or adopts the child(ren). Additional days may be used when the need is verified by a Physician's statement.*

Family and Medical Leave Act

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. To care for the employee's child after birth or placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the active duty or call to active duty of a covered family member (spouse, son, daughter, parent or next of kin) in the Armed Forces in support of a contingency operation; and
5. To care for a covered family member (spouse, son, daughter, parent or next of kin) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces that may render the family member medically unfit to perform duties of his/her office, grade, rank or rating.

Employees requesting leave for any of the above reasons shall be notified that such leave qualifies for, and shall be counted toward, family and medical leave entitlement. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other administrator who shall then document the request. The District may require that a request for leave be supported by a health care provider's certification as permitted by federal law.

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 and have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave. Full-time teachers are presumed to have worked at least 1,250 hours during a school year.

To the extent that an employee is entitled to any sick leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) FMLA workweek entitlement.

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.

When family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work.

Adopted/Amended: 07/24/2008

NOTE: *Leave forms must be signed for all absences from employment, including conferences and workshops. It is the responsibility of each employee to obtain the proper form from his/her supervisor. Forms should be returned to the school office following an employee's return from absence. Forms for personal leave or long term absences should be signed prior to absence. Leave of absence without pay requires school board approval. Leave of absence without pay may affect your retirement or service credit.*

Employees requesting Leave Without Pay should contact the district's Finance Office for information pertaining to insurance and benefits for employees prior to taking leave from work.

Military / Disaster Service Leave

Employees shall be granted military leave under provisions and conditions, specified in law. The employee is responsible for notifying his/her immediate supervisor as soon as he/she is notified of an impending military related absence. The board may grant disaster service leave to requesting eligible employees

INSURANCE

Health Insurance

A health insurance plan is available. Supplemental premiums for single, parent plus, couple, or family plans at group rates may be paid through payroll deduction. Forms for indicating the desired health insurance coverage shall be completed upon employment. Changes can be made during open enrollment each year or if you have a qualifying event.

Medicare

The United States Congress has elected to place all new teachers under mandatory Medicare coverage. Certified teachers hired after April 1986 in the school district and all classified employees must have a deduction for Medicare withheld. This regulation also applies to all substitute employees. The current deduction rate is 1.45%.

Life Insurance

A \$20,000.00 life insurance policy is provided for each full-time employee by the State. Beneficiary and enrollment cards must be signed and are available from the Finance Office. There is no charge to the employee for this policy. Supplemental premiums for additional term insurance at group rates may be paid through payroll deduction.

Workers' Compensation

All employees are covered by worker's compensation insurance. Any employee having an accident while working should contact his/her immediate supervisor immediately. If your supervisor is unavailable, call the district's Worker's Compensation provider.

Several forms require completion and filing within twenty-four hours after the accident or injury. Check with the principal or secretary for that information. Your employer has certain responsibilities, such as checking on your condition once you have reported it, as part of the process as well. It is important to remember that most districts are enrolled in a Managed Care Workmen's Compensation Program. Only certain physicians have been approved for treatment under provisions of such a program, so you must see an approved doctor.

Most Kentucky school districts use the Kentucky School Boards Insurance Trust Worker's Compensation program as the resource for processing workmen's compensation claims. They ask that an injured employee complete an employee questionnaire and a medical authorization form. The district's Workmen's Compensation provider will process all forms required by the Kentucky Workmen's Compensation Board. However, an injured person may also contact the Kentucky Workmen's Compensation Board. Employees who qualify for Worker's Compensation shall be offered the opportunity to participate in the District's Early Return to Work Program.

Liability Insurance

Liability insurance is provided for all employees. The coverage includes litigated liability damages against school system employees for bodily injury and/or property damage resulting from actions of the employee. The insurance coverage requires the employee to notify the Finance Office immediately after the employee becomes aware of the potential for a liability claim.

Notice of Privacy Practices

Montgomery County School District ("MCSD"), as your group health plan, is required as of April 14, 2004, by the Health Insurance Portability and Accountability Act of 1996 to protect your personal medical records by keeping them private and following certain rules that dictate whether and when MCSD can use or disclose health information.

As part of this law, you have certain rights with regard to your personal health information. Some of those rights include: to inspect and copy your own health information; to request to amend your health information; to obtain a paper notice of your rights and MCSD's legal duties as to the privacy of your health information; to request restrictions on certain uses and disclosures; and, to receive an accounting of disclosures of your health information made within six years.

For a full notice of your rights and MCSD's policies and practices or any questions with regard to the privacy of health information, please contact MCSD's Director of Personnel, 700 Woodford Drive, Mt. Sterling, KY.

OSHA

The Occupational Safety and Health Act established by the Kentucky Department of Labor promotes the safety, health, and general welfare of all employees within the Commonwealth through the prevention of job-related injuries and illnesses. Employees of the Board of Education have the following responsibilities concerning OSHA:

1. To comply with standards, applicable rules, regulations, and orders issued in accordance with the Act,
2. To report any safety or health hazard, apparent or developing, to the proper authority in the work place,
3. To report to the Director of Buildings and Grounds any job -related injury or illness as can be immediately and accurately completed.

The Hepatitis B Vaccine is offered to Montgomery County School employees who are considered at-risk at no cost to the employee. The Blood Borne Pathogen Exposure Control Plan is revised annually and available upon request.

All employee medical and blood-borne pathogen records are maintained in the personnel department. A copy of a staff member's medical and exposure records are available to that employee upon written request.

TEACHER RETIREMENT SYSTEM (KTRS)

KTRS membership is mandatory for all persons in eligible agencies occupying full-time positions which require either certification by the Department of Education or graduation from a four (4) year college or university as a condition of employment. KRS 161.220 (21) defines full-time for membership purposes as "...seven-tenths (7/10) of normal service on a daily or weekly basis."

As of July 1, 2002 retirement credit will also be given in KTRS for all part-time employees and substitute teachers. Contributions for the retirement system are made through payroll deduction. The current deduction rate is 9.855% (9.105% goes toward member's retirement account, .75 % goes to fund retiree medical benefits). For income tax purposes, this retirement deduction is tax deferred. No federal or state income tax is paid on the retirement deduction until it is received at retirement.

Non-university members who join KTRS on or after July 1, 2008 contribute 9.855% plus an additional 1% (non-refundable) for the medical insurance fund for a total contribution of 10.855%. In addition, members who have refunded their accounts and retirees who return-to-work without waiving their retirement benefit on or after July1, 2008 will fall under these new provisions.

Members with at least five years of current Kentucky service who are age 60 or greater are eligible to retire with no reduction in monthly annuity. Members who have 27 years of Kentucky service may retire without reduction of benefits regardless of age. In order to be entitled to a full year of service credit in the Kentucky Teacher's Retirement System, a teacher may miss no more than five days without pay per school year. The service

credit missed may be repurchased, but such repurchasing must take place before December 31.

New Legislation [Section 419(c) of Public Law 108-203, the Social Security Protection Act of 2004} requires State and Local government employers to provide a statement to employees January 1, 2005 or later in a job not covered under Social Security. The statement explains how a pension from that job could affect future Social Security benefits to which they may become entitled.

All certified school board staff that pay into the Kentucky Teacher's Retirement System (KTRS) do not pay Social Security; therefore, they are subject to this law.

For more information go to <http://ktrs.ky.gov/ktrsresources/EMPinfo/FORMSSA-1945.pdf>

UNUSED SICK DAYS

The Board shall compensate certified employees at the time of retirement, or their estate, for each unused sick day at the rate of 30% of the daily salary. This calculation is based on the employee's last annual salary.

An individual who begins employment with a local school district on or after July 1, 2008 may use no more than 300 unused sick days in the retirement calculation.

To be eligible for this benefit, retiring employees must:

1. Submit to the Superintendent notice of retirement, effective with the end of the current contract year, no later than April 1 of the current contract year; and
2. Complete the current contract year.

The deadline for submitting notice of retirement shall be extended to May 31 for employees that have been subject to a reduction in salary during the current school year. In addition, the Superintendent may waive the April 1 deadline in the event of extraordinary or unusual circumstances (such as the death of an employee in active contributing status). In the event of waiver of this policy, reimbursement for accrued sick leave will be calculated based on the number of sick leave days amassed as of the end of the previous contract year and at the employee's salary for that same contract year.

Upon application, a teacher leaving the profession prior to eligibility for retirement can receive a refund of his/her accumulated contributions.

Please contact KTRS if you have additional questions. Relevant information may be found at the web site at ktrs.org or calling 1-800-618-1687.

CLASSIFIED RETIREMENT SYSTEM

Social Security (FICA)

Classified employees are required to pay into the Federal Social Security Retirement system. Contributions to the Social Security System are made through payroll deductions. The current deduction rate is 6.20% plus 1.45% for Medicare. Classified employees are also

required to contribute to the County Retirement System. Contributions to the retirement system are made through payroll deduction. The current deduction rate is 5.0%. The Board's matching contribution rate is 13.5%. For income tax purposes, this retirement deduction is tax deferred. No federal or state income tax is paid on the retirement deduction until it is received at retirement.

Non-Hazardous employees who begin participating with Kentucky Retirement System (KRS) on or after September 1, 2008, will contribute a total of 6% of all their creditable compensation to KRS. 5% of this contribution will be deposited to the individual employee's account, while the other 1% will be deposited to the KRS Insurance Fund.

If an employee terminates prior to retiring, he/she may withdraw the amount contributed plus interest earned by making application to the system.

Questions concerning the County Retirement System may be directed to The Kentucky Retirement System, Perimeter Park West, 1260 Louisville Road, Frankfort, Kentucky 40601. Phone: 1-800-928-4646.

PAYROLL INFORMATION

Employees are paid on a semi-monthly basis, the fifteenth and thirtieth of each month, beginning on August 30th (July 15th for 12 month or 240 day employees) of each school year. The payments are divided into twenty-four (24) equal amounts based on annual income. Should the fifteenth or thirtieth fall on the weekend, employees will be paid on the Friday prior to the scheduled payroll date.

Payroll is administered through mandatory electronic "direct deposit". Employees receive a wage earnings statement that lists all deductions; state, federal, insurance, and voluntary, etc., on scheduled payroll dates.

To implement the payment process in an efficient manner, it is the responsibility of all employees to provide the necessary information and documentation to the Finance Office. (New employees shall not be paid until health records, criminal records check, and all other required documents are on file in the personnel office.)

Voluntary payroll deductions, i.e., family health insurance, credit union, United Way contributions, and annuities are administered through the Finance Office. It is the responsibility of the employee to notify the Finance Office of any and all voluntary deductions. Payroll deductions are pro-rated and can be withheld from a varying number of pay periods during the school year and are dependent upon specified deduction.

Cafeteria Plan

The Board of Education has adopted a plan that qualifies as a "cafeteria plan" as defined by the Revenue Code. This plan provides a tax savings to any full-time employee who has payroll deductions for hospitalization, cancer, dental and vision insurance. The deducted amount, if any, is not subject to federal or state taxes and therefore increases net "take home" pay accordingly. The gross salary reported on each employee's year-end W2 form will be reduced by the amount of the above-mentioned deductions. Forms to sign up

for this Cafeteria Plan will be made available to each employee at the beginning of employment and during open enrollment each school year.

Tax-Deferred Annuities and 401 (K) Plan

A payroll deduction plan is available for employees who wish to participate in a tax-deferred annuity or a 401 (K) plan. To start a tax-deferred annuity, contact the Finance Office.

Tax-sheltered annuity companies must have contracts with a minimum of twenty-five (25) employees in order to have payroll deductions.

529 College Saving Plan

Employees have an opportunity to contribute to college savings (529) plans through payroll deduction. 529 plans are state sponsored programs designed to help individuals save for qualified college expenses at any eligible institution of higher education in the U.S. Distributions are exempt from federal taxes and may also be exempt from state taxes. Specific information on 529 programs can be obtained by contacting the Finance Office.

Federal and State Taxes

Federal and State deductions are withheld from your pay according to information furnished to the Finance Office on Form W-4 and K-4 designating marital status and number of exemptions. This information can be changed when necessary by completing a new copy of either of the forms.

Unemployment Insurance

The Montgomery County Board of Education pays unemployment insurance on all employees. Should you be unemployed through no fault of your own, you would be eligible for unemployment insurance benefits. Applications for unemployment benefits should be made to the Division of Unemployment Insurance. Regularly scheduled non-working periods such as Christmas, spring break, or summer do not qualify as unemployment periods.

Credit Union

The Montgomery County Board of Education is a member of the Commonwealth Credit Union. All full-time employees are eligible to become a member of the credit union and have regular payroll deductions for either savings or a loan. To become a member of the credit union, please contact the Finance Office for information or you may contact Commonwealth Credit Union, PO Box 978, Frankfort, KY. 40602. The phone number is 1-800-228-6420.

Medical Reimbursement

A medical reimbursement account allows an employee to pay medical expenses in a tax advantageous way. An employee may be reimbursed for medical, dental, or vision care expenses that are not covered under an insurance plan. The reimbursements received are not subject to federal or most state and local taxes. Participation is optional.

Dependent Care Reimbursement

A dependent care reimbursement account allows an employee to set aside gross income before federal and state taxes are deducted. A reimbursement claim is filed, after the cost for dependent care is paid. IRS laws must be followed. For more information please contact the Finance Office.

NOTE: *It is the responsibility of each employee to obtain all necessary forms from the Finance Office. Any additional corrections or changes to an employee's records should be made in writing and sent to the Personnel Director, or to the Finance Office. Falsification of any employee records shall be grounds for the termination of employment.*

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over forty (40) in a work week. Such employees are considered non-exempt and are eligible for overtime compensation.

Non-Exempt employees are required to reflect actual time worked on their pay period timesheet; not hours scheduled.

The FLSA also provides an exemption from both minimum wage and overtime pay for employees who meet criteria to qualify for an executive, administrative, or professional exemption. Such employees are considered exempt and are eligible to be paid on a salary basis.

For additional information regarding the Fair Labor Standards Act, refer to Board Policy 03.221 AP. 11 located at the end of this handbook or visit the Wage and Hour Division's website at www.wagehour.dol.gov or call toll-free at 1-866-487-9243.

NOTE: OVERTIME: *The employee must have approval of overtime and shall be paid at a rate of time-and-one half for all hours worked during a work week exceeding forty (40) hours per week. **Failure to obtain approval for overtime is a basis for disciplinary action.***

United Way

The Montgomery County School System participates in the United Way fund raising campaign annually. The Director of Community Relations serves as contact person for United Way and serves as liaison between schools and the Montgomery County United Way Chairperson. Your support of United Way is entirely confidential and voluntary. No record of whether or not you contribute (or how much) is kept by the district, except as needed for payroll deduction if requested.

OTHER BENEFITS

Employee Recognition

The Montgomery County School System believes that it is important to acknowledge the valuable contribution employees make to improve the quality of the district's educational program. Employees are recognized regularly in the district-wide newsletter and at meetings of the Board of Education. The District's Director of Community Relations will assist to gain media coverage of special programs. There is also a conscious effort by administrators to cultivate an atmosphere of appreciation for the dedication and skill which employees apply to the everyday duties associated with the teaching profession. Employee recognition efforts are coordinated through the office of the Director of Community Relations.

Teacher of the Year

Annually the staff at each school (elementary, middle, and high) selects a Teacher of the Year. Each selected teacher is recognized by the Board of Education and receives a name plaque for his/her desk. Each Teacher of the Year has the opportunity to participate in the Kentucky Teacher of the Year competition.

Retiree Recognition

The Board shows special appreciation to retiring employees with the presentation of a gift at a special reception held annually.

Professional Growth

The Board endorses the concept of professional growth and in-service training. Monies are set-aside at each school to allow and encourage employees to attend workshops, conferences, conventions and other professional growth activities as representatives of the school district. A minimum of four days of in-service activities is provided for certified staff.

Opportunities For District Service

Employees may choose to serve on one or more of several committees formed to provide recommendations for policies or programs that affect the school district as a whole. Examples of these committees include: Textbook Adoption; Comprehension District/School Improvement Plan; Curriculum Review; Calendar, Code of Conduct and Evaluation.

School Board Meetings

The Board of Education is the official policy-making body of the school district. The public elects the Board's five members to four-year terms. Regular Board meetings are

held monthly at the Central Office facility, 700 Woodford Drive. Special Sessions may be called by the Board at various times and will be advertised accordingly. Meetings are advertised prior to the meeting.

Athletic Passes

Each year non-transferable I.D.'s will be issued to all full-time employees. These passes will grant employees admission to all athletic events for the regular season (does not include tournaments). Spouses and children of employees are not admitted free. (Children in first grade or younger are not charged.) The I.D. card will generally be issued at the beginning of the school year or at the time you sign up for benefits at the beginning of your employment.

Professional Organizations

Additional benefits are available to employees through the professional organizations that are active in Montgomery County. Contact representatives MCEA (certified) or KESPA(classified) for additional information.

SCHOOL CALENDAR

Each year a committee, representing all employee groups and parents, meet to review proposed district wide school calendars. These proposed calendars are made available to all district employees for input. After consideration of all suggestions, the Superintendent recommends a calendar to the Board of Education for adoption.

The official school calendar contains: 177 instructional days, 4 professional development days, 4 paid holidays, 1 opening day for all employees, and 1 closing day for certified staff. It is listed on our Montgomery County Schools website.

SCHOOL CANCELLATION DUE TO WEATHER CONDITIONS

When making a decision on opening or closing the schools due to inclement weather, the primary concern is for the safety and welfare of the students. The decision to cancel school will be made by the Superintendent/designee by 6:00 a.m.

Procedures for altering the regular schedule due to inclement weather are as follows:

Schools Delayed or Closed

All schools in the Montgomery County School District will operate on a one-hour delay; or
All schools in the Montgomery County School District will operate on a two-hour delay; or
All schools in the Montgomery County School District will be closed.

Early Dismissal

Should weather conditions begin to deteriorate during the school day, and it is determined that road conditions are becoming hazardous, schools will be dismissed early.

The following local and regional news media will be notified by the Director of Transportation/designee:

WMST (1150 AM) - Mt. Sterling
WLEX TV (Channel 18)-Lexington
WKYT TV (Channel 27)-Lexington
WTVQ TV (Channel 36)-Lexington
WKCA (107.7 FM)-Owingsville
WMKY (90 FM)-Morehead State University
WMOR (1330 AM; 92.1 FM)-Morehead
WLAP (630 AM)-Lexington
WMXL (94.5 FM)-Lexington
WKQQ (100.1 FM)-Lexington
WVLK (590 AM; K-93)-Lexington
WSKV (104.9 FM)-Stanton
WCAK (100.7 FM)-Carlisle
WLKT (104.5 FM)-Lexington
WBUL (98.1 FM)-Lexington

Instructional Leaders' Training

Required Hours

Instructional leaders, including Supervisors of Instruction, Principals, Assistant Principals, Guidance Counselors, and Director of Special Education, or other administrative positions requiring certification, shall participate in a continuing intensive training program.

Every twelve-month cycle, each instructional leader shall complete no less than twenty-one (21) EILA hours in a training program approved by the Kentucky Board of Education. Also, a minimum of twelve (12) hours of evaluation training will be required over a two year period. Completion of all required hours shall be reported to the Professional Development Coordinator.

Probation

Failure to participate shall result in a one-year probation. Those instructional leaders who fail to complete the training during the probation period shall have their administrative certificate revoked by the Education Professional Standards Board.

Student Teachers

The Board enters into cooperative agreements, including financial arrangements with colleges and universities for the purpose of providing professional laboratory experiences and student teaching experiences for students preparing for the education profession. A student teacher shall have the same legal status and protection as a certified teacher employed within the school district and shall be responsible to the principal of the school and the supervising teacher to whom he/she is assigned. A criminal records check shall be conducted on all student teachers.

Substitutes

The Personnel Director shall maintain a list of qualified substitutes for teachers and for classified personnel. Principal/designee shall engage substitutes from these lists. The lists shall be updated on a weekly basis. Substitutes shall observe the same hours of duty as the teacher or classified employee for whom he/she is substituting. Substitutes shall be paid based on a substitute salary schedule approved by the Board. The district shall conduct a criminal records check on all substitutes as required by KRS 160.380.

For more information refer to substitute handbook or contact the Personnel Office.

Volunteers

Volunteers are encouraged to use their time and effort to support school and district programs. All volunteers shall provide assistance only under the direct supervision of a district employee. Volunteers, who assist in the district on a schedule/continuing basis, shall be provided with the same liability insurance coverage as an employee and shall be provided with information detailing responsibilities and expectations.

A criminal records check shall be conducted on all volunteers who have contact with students on a regular basis, or who have supervisory responsibilities for students.

Access to Electronic Media 08.2323
(Acceptable Use Policy)

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner.

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

EMPLOYEE USE

Employees shall use electronic mail and other District electronic media primarily for purposes directly related to work-related activities. Employees may not use electronic media to:

1. Engage in illegal activity;
2. Promote a commercial purpose for a non-school related reason;
3. Pursue personal gain; or
4. Advance personal propaganda.

Employees may use District electronic media for permissible purposes before or after the instructional day or assigned working hours or for brief access during break or planning periods, provided such access does not interfere with the employee's assigned duties.

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

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems or other computing and telecommunications technologies.

For additional information, refer to Policy 08.2323 Adopted/Amended 7/26/2007.

PROFESSIONAL CODE OF ETHICS FOR KENTUCKY SCHOOL PERSONNEL

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:

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.

To Parents

1. Shall make reasonable effort to communicate to parents information that 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.

To the Education Profession

1. Shall exemplify behaviors that 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;
1. Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications; and
2. Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

Compliance with FLSA Requirements

IMMEDIATE SUPERVISORS AND OTHER STAFF RESPONSIBLE FOR MAINTENANCE OF RECORDS CONCERNING HOURS WORKED AND OVERTIME PAYMENTS MADE SHALL ADHERE TO THE FOLLOWING GUIDELINES.

- Place required FLSA posters in conspicuous places where non-exempt employees can readily see them. Posters may be obtained online at the following address:

<http://www.dol.gov/esa/regs/compliance/posters/flsa.htm>
- Require non-exempt employees to reflect *actual time worked* on their pay period timesheet, not hours *scheduled*. Certification of time worked shall be signed by both the employee and the immediate supervisor.
- Inform employees of policy 03.221 provisions concerning approval for working overtime, and implement provisions accordingly. Although the district cannot avoid paying for overtime worked without authorization, violation of policy provisions may serve as grounds for disciplinary action that will discourage recurring problems with unauthorized overtime.
- Assure that required breaks are twenty (20) minutes or more long in order for the time not to be compensable. Also, the lunch period must be duty free, or the employee must be compensated for the time.
- Train supervisory staff and bookkeepers regarding proper completion and retention of time records (All time records must be retained for at least the minimum amount of time set by federal regulation and document retention requirements).
- Minimize or avoid dual employment where the combined number of hours worked by one individual will exceed forty (40) hours per workweek. This may require examining the structure of after-school programs that are co-sponsored (or authorized by the district and are held on school property). When calculating overtime wages for an employee who holds two (2) jobs with the District that have different rates of pay, the correct calculation is one-and-one-half the weighted average of the two (2) rates.
- Carefully track hours non-exempt employees work at after-school events or school programs. Example: employees staying on after scheduled hours because they are taking tickets at an athletic event later in the day.
- Pay maintenance employees for overtime for actual hours worked, not on a “per call” basis (for example, in responding to a school alarm or emergency).
- Do not permit a non-exempt employee to “volunteer” for activities within the school, unless his or her child is involved *and* not if the activity is the same as the employee’s job, i.e., a bus driver ‘volunteering’ to drive for a school-sponsored trip for his/her child’s class.
- Request that the Superintendent/designee consult with the Board Attorney or other source about questions concerning FLSA compliance. Review/Revised: 7/21/04

NOTES