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# PRE-EMPLOYMENT INQUIRIES

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, and traffic/accident records. Pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skill assessments, and other information will be kept in strict confidence and, when available, shall be considered in determining employment status.

1. Any costs of requesting and obtaining records checks will be paid by the applicant.
2. Applicants convicted of or pleading guilty to sex crimes included in Kentucky Revised Statutes Chapter 17 shall not be employed.
3. Applicants convicted of or pleading guilty to drug-related crimes included in the Kentucky Controlled Substances Act, Kentucky Revised Statutes Chapter 218A and Kentucky Administrative Regulations, Title 901 and Title 902 shall not be employed.
4. Applicants with confirmed, verified positive toxicology screen results indicating cannabinoids or other drugs included in the Kentucky Controlled Substances Act, Kentucky Revised Statutes Chapter 218A and Kentucky Administrative Regulations, Title 901 and Title 902, shall not be employed.
5. Applicants with history of/currently suspended or revoked license/certificate shall not be employed in jobs requiring valid licensure/certification.
6. Applicants with history of traffic/accident convictions resulting from driving under the influence of alcohol or other drugs shall not be employed in jobs requiring driving of District vehicles.
7. Applicants whose physical examination results indicate a disability that renders the applicant unable to perform the essential functions of the job, with or without reasonable accommodation, shall not be employed.
8. Depending upon the number, nature, and degree and upon the circumstances involved, applicants with negative or poor references may not be employed.
9. Depending upon the circumstances involved and the nature of the job for which application is made, applicants convicted of or pleading guilty to firearm, theft, and robbery offenses may not be employed. Applicants convicted of or pleading guilty to any felony offense shall not be employed.

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# PERMANENT AND TEMPORARY PROFESSIONAL STAFF

The Jefferson County Public School District employs personnel in permanent (part-time and full-time), acting, and substitute professional staff positions. All related personnel action, including notices of extension of employment, is to be handled by Personnel Services through the normal employment process. Personnel may be employed in the District only to the extent that monies are budgeted to compensate for the work performed, and the following guidelines and definitions apply:

## PERMANENT PROFESSIONAL STAFF POSITIONS

1. Permanent professional staff positions [jobs paid on job families II, III, and IV] are funded in the budget as specific positions that, usually and regularly, recur year after year and that have Board-approved job descriptions with specific and approved work years.
2. Permanent, full-time professional staff positions are approved for a specific number of days in a workyear and are paid on an annual or daily salary basis.
3. Permanent, part-time professional staff positions require less than 100 percent of regular full-time service and are paid on a prorated salary basis.
4. With few exceptions, all positions on job families II and IV are full-time salaried positions.
5. Part-time professional staff employees who work at least seventy (70) percent of the regular full-time school day/school month of that position are eligible to qualify for state health and life insurance coverage (702 KAR 1:035).
6. With the exception of certain insurance programs required by the state (Workers' Compensation and Unemployment), most employee benefits and insurances are not applicable to personnel employed in part-time professional staff positions.
7. Active members of KTRS who are employed on a part-time basis may make retirement contributions based on the equivalent full-time employee and may receive service credit under the following conditions (102 KAR 1:036):
  - a. An active member who is paid on the basis of at least seven-tenths (7/10) of regular full-time service may make contributions for a full year and receive a full year of service credit by applying to KTRS for such purchase, or
  - b. An active member who is paid the equivalent of at least three-tenths (3/10) of regular full-time service may make contributions directly to the retirement system and receive a fractional year of service credit. Payroll deductions cannot be made to purchase such service.
  - c. KTRS will advise members of their eligibility to purchase service credit. Personal payment must be made to KTRS on or before December 31 following the fiscal year in which the part-time service was rendered, or the right to purchase service credit is lost.
8. All employees (permanent, temporary, and substitute) who have been employed for at least 12 months and who have worked for at least 1,250 hours over the previous 12 months are eligible for a maximum of 12 weeks of leave under the Family and Medical Leave Act of 1993.

## TEMPORARY PROFESSIONAL STAFF POSITIONS

1. Temporary professional staff positions are funded in the budget and limited to a particular service that is not an on-going function. Upon completion of the particular service to be rendered, a temporary assignment ceases with no obligation of continued employment.
2. Acting professional staff positions are temporary positions designed for the purpose of temporarily reassigning current personnel to perform full-time administrative duties due to the absence of an employee of record for an extended period of time or due to the temporary lack of an employee of record.
3. Substitute positions are temporary positions funded in the budget for the purpose of employing personnel to perform the duties of an employee of record who is absent.
4. With the exception of tax shelter annuity participation and certain insurance programs required by the state (Workers' Compensation and Unemployment), employee benefits and insurances are not applicable to personnel employed in substitute positions except that those who are active KTRS members substituting twenty (20) days or more in a school term may make voluntary contributions (based upon the equivalent full-time annual salary the employee would be earning as a full-time employee) and receive fractional or full-year service credit as appropriate. Payroll deductions, however, are not made in such situations (102 KAR 1:030). Members are allowed only four (4) substitute teaching purchases during their career.
5. All employees (permanent, temporary, and substitute) who have been employed for at least 12 months and for at least 1,250 hours of work over the previous 12 months are eligible for a maximum of 12 weeks of leave under the Family and Medical Leave Act of 1993.

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# PERMANENT AND TEMPORARY SUPPORT STAFF

The Jefferson County Public School District employs personnel in permanent (part-time and full-time), substitute and temporary support staff positions. All related personnel actions, including notices of extension of employment, will be handled by Personnel Services through the normal employment process. Personnel may be employed in the District only to the extent that monies are budgeted to compensate for the work performed, and the following guidelines and definitions apply:

## PERMANENT HOURLY POSITIONS

1. Permanent support staff positions [jobs paid on job families IA and IB] are funded in the budget as specific positions that, usually and regularly, recur year after year and that have Board-approved job descriptions with specific work years.
2. Permanent, full-time hourly support staff positions are approved in the budget and require twenty (20) or more hours per workweek and/or require a school term average of eighty (80) or more hours of work per school month in the performance of job responsibilities [KRS 78.510(21); 702 KAR 1:035].
3. Permanent, part-time hourly support staff positions require fewer than twenty (20) hours of work per workweek and/or fewer than eighty (80) hours of work per school month in the performance of job responsibilities [KRS 78.510(21); 702 KAR 1:035].
4. With the exception of tax sheltered annuity participation and certain insurance programs required by the state (Workers' Compensation and Unemployment), employee benefits and insurances are not applicable to personnel employed in part-time support staff positions.
5. Support staff employees are specifically prohibited from performing work during the same workweek in two (2) or more permanent, part-time hourly support staff positions with the District if such employment results in twenty (20) or more hours of work in a workweek unless specific approval/budget consideration has been obtained to treat the positions as one full-time equivalent position.
6. Federal and State Wage and Hours regulations (including overtime standards) are applicable to all hourly support staff positions whether part-time or full-time [FLSA (29 U.S.C.)].
7. Regardless of the funding source/cost center involved, hourly employees are specifically prohibited from performing work in two (2) or more permanent full-time support staff positions in the District that would result in hours worked per workweek of more than forty (40) hours.
8. With the exception of occasional extra-duty time, consistent employment of a part-time hourly support staff employee in the same part-time hourly job for more than twenty (20) hours in a workweek/eighty (80) hours in a school month is prohibited. If a permanent part-time support staff hourly employee is required to consistently work more than twenty (20) hours per week, the cost center head is to seek authorization for a full-time position.

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**TEMPORARY HOURLY  
SUPPORT STAFF POSITIONS**

1. Temporary hourly support staff positions, both full-time and part-time, are funded in the budget, are limited to a particular service that is not an on-going function, have a cyclical workyear, and are not renewable at the end of the approved work cycle [KRS 78.510 (21)].
2. Upon completion of the particular service to be rendered, a temporary assignment ceases with no obligation of continued employment.
3. Temporary, full-time hourly support staff positions require four (4) or more hours of work per day and/or require an average of twenty (20) or more hours of work per workweek in the performance of job responsibilities.
4. Temporary, part-time hourly support staff positions are those that require fewer than four (4) hours of work per day and/or that require fewer than twenty (20) hours of work per workweek in the performance of job responsibilities.
5. The work cycle of temporary support staff positions is limited to ninety (90) workdays.
6. An extension of the ninety (90)-day work cycle may be approved upon request to the executive director of human resources for a period of time not to exceed a total of twelve (12) months [including the ninety (90)-day period] [KRS 78.510 (21)] and is granted in thirty (30)-day increments.
7. Extensions of the work cycle beyond twelve (12) months is specifically prohibited.
8. With the exception of certain insurance programs required by the state (Workers' Compensation and Unemployment), employee benefits and insurances are not applicable to personnel employed in temporary support staff positions.
9. Federal and State Wage and Hours regulations (including overtime standards) are applicable to all hourly support staff positions whether part-time or full-time [FLSA (29 U.S.C.)].
10. Employees may be permitted to work overtime in a temporary support staff position only to the extent to which monies are budgeted to compensate for the hours worked.
11. Regardless of the funding source/cost center involved, non-exempt employees are specifically prohibited from performing work in two (2) or more temporary hourly support staff positions in the District that would result in hours worked per workweek of more than forty (40) hours.

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## **SUBSTITUTE POSITIONS**

Substitute positions are temporary positions funded in the budget for the purpose of employing personnel to perform the duties of an employee of record who is absent for a specific period of time.

## **SEASONAL POSITIONS**

Seasonal positions are temporary positions in employment that coincide in duration with a specific and particular season of the year (grass cutting, summer movers, etc.) and which may recur regularly from year to year [KRS 78.510 (21)].

Employment in a specific seasonal position shall not exceed six (6) months [KRS78.510 (21)] and may not be extended.

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# TEMPORARY/SEASONAL EMPLOYEES

The Jefferson County Public School District employs personnel in both permanent and temporary/seasonal positions. Permanent positions, both part-time and full-time, are those that are funded in the budget as specific positions with specific and approved workyears. Temporary/Seasonal positions, both part-time and full-time, are funded for cyclical, unspecified work periods. Full-time positions are those that are scheduled for twenty (20) or more hours of work in a workweek. The following procedures relate to temporary and seasonal employees:

1. Personnel may be employed in temporary/seasonal positions to the extent that monies are budgeted to compensate for the work performed.
2. The overtime compensation standards of the Fair Labor Standards Act are applicable to temporary and seasonal employees who perform work in activities that are normally nonexempt activities.
3. With the exception of certain insurance coverage (Workers' Compensation and Unemployment), employee benefits and insurances are not applicable to personnel employed in temporary and seasonal positions.
4. The work cycle of temporary and seasonal jobs is limited to 120 workdays.
5. Any extension of the 120 day work cycle must be approved by the Executive Director of Human Resources.
6. Extension of the work cycle will be in thirty (30)-day increments.
7. All related personnel action, including notices of extension of employment, will be handled by Personnel Services through the normal temporary/seasonal employment process.

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# PARAPROFESSIONALS/ INSTRUCTIONAL ASSISTANTS

The paraprofessional staff has long been an important part of the District's instructional program. These employees have, under the direction of the professional staff, performed clerical, tutorial, and other such duties associated with teaching in order to increase the time the professional staff could devote to instruction. The conditions of employment listed below apply to this paraprofessional staff.

1. Instructional assistants work under the direct supervision of the teaching staff in performing non-instructional functions such as clerical duties, lunch room duties, leading pupils in recreational activities, preparing and organizing instructional material and equipment and monitoring children during a non-instructional period.
2. A local district may employ instructional assistants in supplementary instructional and non-instructional activities with pupils. While engaged in an assignment as authorized under the administrative regulations, and as directed by the professional administrative and teaching staff, these personnel shall have the same legal status and protection as a certified teacher in the performance of the same or similar duties.
3. Instructional assistants may be used in supervisory capacities, such as playground supervision, hallway supervision, lunchroom and cafeteria supervision, and other like duties, including, but not limited to, recreational activities and athletic events relating to the supervision and control of the conduct of the pupils. While so engaged, such employees shall have the same authority and responsibility as is granted to and imposed by law upon teachers in the performance of the same of similar duties.
4. Instructional assistants are provided training with the certified employee to whom assigned

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# VOLUNTARY DEMOTION REASSIGNMENT CLASSIFIED SUPPORT STAFF

When a Plant Operator, Food Service Manager, Foreman or other classified support staff supervisor or when a non-supervisory, non-administrative classified support staff employee requests a voluntary reassignment that will result in a reduction in wage rate/annual salary, the following procedures will apply.

1. Written requests for voluntary reassignment are to be submitted on the appropriate form to the appropriate Personnel Specialist.
2. The request should contain the signature of the employee's immediate supervisor acknowledging awareness of the request.
3. Employees may request a voluntary reassignment to a specific position which is available for staffing and to generic job titles, but not to specific locations or to positions already staffed by other employees.
4. Requests for voluntary reassignment will be considered along with requests from employees being recalled, from employees affected by reorganization, if any, and requests for transfer before positions available for staffing are declared vacant and ready for advertising.
5. Requests for voluntary reassignment will be granted using the following guidelines considered collectively and not in priority order:
  - a. Affirmative action balance of the staff involved.
  - b. Demonstrated ability to meet performance responsibilities and qualifications of the position as specified on the job description.
  - c. Evaluative materials in the personnel file.
  - d. Previous successful experiences of the employee.
  - e. Recommendation(s) of the current supervisor(s).
  - f. Recommendation of the receiving supervisor(s).
6. Unless a request for voluntary reassignment has been withdrawn in writing prior to a reassignment being made, the employee must accept the requested reassignment. Written notices of withdrawal of a voluntary request for reassignment are to be submitted to the appropriate Personnel Specialist.

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# VOLUNTARY DEMOTION REASSIGNMENT PROFESSIONAL STAFF

When an administrative employee requests a voluntary demotion/reassignment, the following procedures will apply. Demotion means reassignment to any position that results in more than 5% decrease in annual salary regardless of the work year.

1. Written requests for voluntary demotion/reassignment are to be submitted on the appropriate form to the Executive Director of Human Resources.
2. The request must contain the signature of the employee's immediate supervisor acknowledging awareness of the request.
3. Administrative employees may request a voluntary demotion/reassignment to a specific position that is available for staffing and to generic job titles, but not to specific locations or to positions already staffed by other employees.
4. Requests for voluntary demotion/reassignment will be considered along with requests from employees being recalled and from employees affected by reorganization, if any, before considering requests for transfer and before positions available for staffing are declared vacant and ready for advertising.
5. Requests for voluntary demotion/reassignment will be granted using the following guidelines considered collectively and not in priority order except that the recommendation of the appropriate cabinet level supervisor will take precedence:
  - a. Affirmative action balance of the staff involved.
  - b. Demonstrated ability to meet performance responsibilities and qualifications of the position as specified on the job description.
  - c. Evaluative materials in the personnel file.
  - d. Previous successful experiences of the employee.
  - e. Recommendations of the receiving executive director/supervisor(s).
  - f. Recommendation of the appropriate cabinet level supervisor.
6. Unless a request for voluntary demotion/reassignment has been withdrawn in writing prior to a reassignment being made, the administrator must accept the requested demotion. Written notices of withdrawal of a voluntary request for demotion/reassignment are to be submitted to the executive director of human resources.

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**REQUEST FOR VOLUNTARY  
REASSIGNMENT/DEMOTION**

I, \_\_\_\_\_ hereby request a voluntary demotion/ reassignment  
from \_\_\_\_\_ to  
\_\_\_\_\_ and I make this  
request as a voluntary act on my part for the following reason(s):

I make this request with the full knowledge and understanding that when granted, the request will result in a reduction of my salary commensurate with the adopted salary schedule for the assignment for which I am submitting this request. I further understand that this request will be granted in accordance with established guidelines.

I wish for this voluntary demotion to take effect on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

# OVERTIME COMPENSATION RULES AND PROCEDURES

Cost center heads are directly responsible for implementing the overtime regulations and for monitoring employee hours of work. The workday of hourly employees is to be scheduled so as to best accomplish the duties to be performed, to maintain normal business hours, and to control overtime needs.

**1. The normal business hours are these:**

Elementary School Offices  
8:00 a.m. - 4:30 p.m.  
Middle School Offices  
7:00 a.m. - 4:00 p.m.  
High School Offices  
7:00 a.m. - 4:00 p.m.  
System wide Offices  
7:30 a.m. - 4:30 p.m.<sup>1</sup>  
Switchboards  
7:00 a.m. - 4:30 p.m.<sup>1</sup>

**2. Except for bona fide volunteers, all classified hourly school District employees are covered by the federal Fair Labor Standards Act and related state wage and hour regulations and are to be compensated for all hours of work scheduled or permitted to be performed in a workday or workweek.**

**3. Employees covered by the overtime standards of the federal Fair Labor Standards Act and related state regulations are to be compensated at a rate that is at least equal to the federal overtime rate for all hours of work scheduled or permitted to be performed in excess of forty (40) hours worked per work week. Generally, all hourly employees (clerical, secretarial, bookkeeping, service, custodial, and lunchroom employees) are eligible for overtime compensation. (See also the procedures related to extra employment/assignments.)**

**4. A work week is a fixed and regularly recurring period of one hundred sixty-eight (168) consecutive hours [seven (7) consecutive twenty-four (24)-hour periods].**

**5. Overtime compensation is computed on the basis of the employee's regular rate of pay. The regular rate of pay includes all payment made by the District to or on behalf of an employee in a work week.**

**6. Overtime compensation is paid in the form of cash at a rate of one and one half (1 1/2) times the regular rate of pay including time worked on Saturdays, Sundays, and holidays.**

**7. Overtime compensation in the form of time is not permitted.**

**8. Overtime is to be held to a minimum with cost center heads utilizing overlapping schedules or other scheduling methods to avoid the need for overtime.**

**9. Overtime is not to be authorized unless funds are provided in the cost center budget, is to be recommended and scheduled in advance by the cost center head, and, except in the event of a bona fide emergency, authorized in advance by the cabinet level supervisor and the department head. Bona fide emergency situations requiring overtime must be authorized by the cost center head and justified to the cabinet level supervisor and departmental head in a monthly review.**

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<sup>1</sup> Hours effective 01/01/2002



10. Overtime expenditures are the responsibility of the cost center head. Overtime expenditures must be approved by the cabinet level supervisor and the department head who must make appropriate adjustments in the division's budget. The final responsibility for controlling overtime rests with the cabinet level supervisor.
11. Overtime payments for time spent before, after, or between regular hours of work that is not authorized by the cost center head will not be made.
12. Hours worked include time controlled by the employer during which the employee is permitted or required to perform duties necessarily and primarily for the benefit of the employer including waiting/on-duty time, rest periods, attendance at employer mandated meetings or training sessions, and travel time from job site to job site where required as a part of job performance.
13. Hours worked exclude off-duty time, travel time to and from work, preliminary and postliminary activities, meal breaks, whole or partial leave days of any form except as provided in applicable agreements with employee organizations, and docked time (tardiness, appointments during work hours, illnesses and emergencies not taken as leave days).
14. Full-time, permanent employees are to be provided time for rest breaks (except employees working less than four hours per day) and meal breaks. Rest breaks are compensated, duty-free time scheduled by the supervisor near the middle of each consecutive four (4) hours of service. Meal breaks are non-compensated duty-free time scheduled by the supervisor near the middle of the workday during which the employee may eat. Time for meal breaks is excluded from on-duty hours. Breaks are not to be scheduled at the beginning or end of the workday.
15. Except for rest breaks, and as otherwise provided in agreements with employee organizations, employees are not compensated for any time off duty including meal time, appointments with doctors or attorneys during working hours, or time off duty due to illness not covered by leave provisions.
16. Employees in Job Families II, III, and IV and some in IA are eligible for exemption from overtime compensation as they perform in bona fide executive, administrative, professional, or supervisory capacities.
17. Cost center heads are responsible for maintaining specific records showing 1) time of day and day of week on which employee's workweek begins and ends, 2) hours worked each workday and workweek (time cards, arrival/departure sheets, or other records), and 3) amount of overtime accumulated, if any, and how and when compensated.

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# **EXTRA EMPLOYMENT/ ASSIGNMENTS UNDER THE FAIR LABOR STANDARDS ACT**

The federal Fair Labor Standards Act and related state law sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for employees. Not all employees of the Jefferson County Public Schools are covered by the Act, and certain employees who are covered are affected only by some of the standards. Generally, hourly employees are covered by all standards of the Act; however, salaried employees are covered by the equal pay and record keeping standards. Bona fide volunteers, certain trainees, and co-op students are not covered. The following District procedures are applicable only to situations involving covered employees who perform extra work/assignments for the District.

## **COVERED EMPLOYEES**

1. Covered employees (generally, all hourly employees) must be compensated at an overtime rate for all hours worked for the District that are over forty (40) in a workweek regardless of the source of funding.
2. Compensatory time taken/offered outside the workweek in which an hourly employee works more than forty (40) hours is prohibited.
3. Covered employees may be authorized to work overtime at their regular job, but only to the extent that monies are budgeted to pay for the overtime.
4. Covered employees are not to be employed in the District in more than one (1) full-time job of four (4) hours or more.
5. Covered employees may be employed in extra employment opportunities that occur between their regularly scheduled workyears.
6. Covered employees may be authorized to hold a part-time nonexempt (hourly) job during their regular workyear provided they do not work a combined total for both jobs of more than forty (40) hours in a workweek, and overtime on both jobs is prohibited.

## **EXEMPT EMPLOYEES**

1. Exempt employees (all salaried employees and certain IA employees who meet the exemption test) are not covered by the federal and state overtime regulations.
2. Exempt employees are prohibited from employment in the District in more than one (1) full-time job of twenty (20) hours or more in a workweek.
3. Exempt employees may be employed in extra employment opportunities that occur between their regularly scheduled workyears. Exempt employees may hold an extra nonexempt job with the District during their regular workyear only to the extent that such extra work is scheduled/restricted so as not to

(continued)

3. interfere with the individual employee's exemption from overtime status. For purposes of determining eligibility for overtime compensation, exempt employees (including teachers) are assumed to work a forty (40)-hour workweek on their regular job. Exempt employees regularly work beyond the normally scheduled workday or workweek in order to complete their job responsibilities. No compensatory time off is provided.
4. Time off without loss of pay may be authorized for exempt employees (except those in Job Family III covered by the JCBE/JCTA Agreement) who perform extra assignments or activities not directly related to their regular job that require an inordinate amount of time in addition to and beyond their normal workday and/or workweek.
5. Time off during the regular workyear may be authorized for exempt employees (except those in Job Family III covered by the JCBE-JCTA Agreement) who are called back to work on days that fall between their normal workyear unless a paid extension of their workyear has been approved. Time off for exempt employees need not be provided on a day-for-day or an hour-for-hour basis. In such cases, a Flexible Calendar Change must be submitted to Personnel Services.

#### OTHER

1. Employees may hold two (2) or more permanent part-time nonexempt (hourly) jobs during the same workyear provided they do not work a combined total for all jobs of more than forty (40) hours in a workweek; overtime on all such jobs is prohibited.
2. It is the responsibility of both the supervisors on the regular job and the part-time job, working with Personnel Services and Payroll, to ensure that the restrictions are observed.
3. The District will have one official record of the time worked/paid, and this record will be maintained in the Payroll unit.
4. Employees affected by the overtime standards will receive one check for all hours worked in each workweek in a pay period regardless of the funding source.
5. Part-time exempt employees at the Jefferson County High School are prohibited from holding any other employment in the school District — exempt or nonexempt. This does not apply to full-time employees who have extra service duties at Jefferson County High School.

07/2001



# PLANT OPERATOR OVERTIME

The principal has the right to determine whether a school activity requires a Plant Operator (whose job is to handle any unforeseen HVAC problem, fire alarm, etc., in addition to general cleaning) or a custodian (whose job is only to clean).

When the decision is that a supervisor/administrator (Plant Operator) is needed the following guidelines apply to compensation.

1. Plant Operators who supervise more than three (3) people are, by law, salaried administrators and are exempt from overtime compensation. Plant Operators supervising three (3) or fewer employees must be paid at one and one-half times their hourly rate for any hours over forty (40) in a workweek.
2. Plant Operators, exempt from overtime, may receive straight-time compensation ONLY for regularly scheduled weekend building checks (every Saturday, Sunday and Holiday) that are specifically assigned by the building principal. This time is to be reported on the extra service payroll sheet.
3. Plant Operators, exempt from overtime, may be assigned to administrative (Plant Operator) duty at weekend activities. If the activity is school sponsored, pay is not approved. If the activity is sponsored by an outside organization, which is charged for labor, a Plant Operator, exempt from overtime, may only be paid at the individual's straight-time rate. This time is reported on the Extra Service payroll sheet, NOT the bubble sheet.
4. Plant Operators may be assigned to custodial duty at weekend activities, but ONLY if the custodians are provided the opportunity for overtime first. If the Plant Operator performs work as a custodian, he/she is paid at the Lead Custodian regular hourly rate. This is reported on the Extra Service payroll sheet AFTER consulting with Personnel to figure the rate.
5. Plant Operators may, on occasion, be eligible for additional straight-time compensation if their building is involved in construction or a major renovation project and they are needed for security or cleanup purposes. The Executive Director of Facilities/Transportation or his/her designee must approve the additional compensation in advance and in writing.
6. "Flex" scheduling may be arranged with Plant Operators exempt from overtime.

07/2001

# PLANT OPERATOR TRAINEE PROGRAM

The purpose of the Plant Operator Trainee Program is three-fold: (1) to provide formal and on-the-job training, for a minimum of sixty-five (65) workdays, designed to prepare personnel for Plant Operator positions, (2) to provide substitutes for temporarily absent Plant Operators, and (3) to provide skill enhancement opportunities for custodial employees.

The following procedures apply to the program:

1. The Plant Operator Trainee Program is by application only. Applicants must have the following minimum qualifications:
  - a. High School Diploma, G.E.D.
  - b. Two (2) years of current experience as a custodian in a school environment or comparable experience in business and industry
  - c. Working knowledge or ability to understand heating, ventilation and air conditioning units
  - d. Ability to perform preventative maintenance tasks
2. Applicants having the minimum qualifications listed above will be given consideration for admission to the Program based on the following:
  - a. A satisfactory score on the written Plant Operator test
  - b. The recommendation of their current supervisor, or if not presently employed, their most recent employer
  - c. The recommendation of an interview committee
3. Applicants selected for participation in the program will be classified as Plant Operator Trainees and placed at the appropriate salary grade for the position. They will receive five (5) days of classroom and training laboratory instruction. Those successfully completing this five (5) days of instruction will then be provided sixty (60) days of on-the-job Plant Operator training, thirty (30) days of which will be in elementary schools and thirty (30) days in secondary schools. All training assignments will be made by Housekeeping Services.
4. At the end of this sixty (60) day training period successful Plant Operator Trainees will have the option to return to their previous custodial assignment (if prior to the training it was mutually agreed with the principal to hold the position vacant), request reassignment to other available custodial vacancies or remain in the Plant Operator "floater" pool until such time as they are selected for a permanent position. Those electing to remain in the pool after training has been completed will be classified as Plant Operators and placed at the appropriate salary grade for the position. Unsuccessful Trainees will either be returned to their previous assignment or to the first available custodial vacancy. New to the District probationary employees that are unsuccessful in the program will be discharged.
5. Plant Operators that are working as "floaters" will be considered to be transfer applicants when applying for vacant Plant Operator positions. Custodians that have successfully completed the Plant Operator Trainee Program may also apply for vacant Plant Operator positions as candidates for promotion.
6. Custodians that have completed the Plant Operator Trainee Program, but are not selected for a Plant Operator position within five (5) years of completing the training will be required to re-train in order to maintain their eligibility for a position.
7. A Plant Operator "floater" who is not selected for a specific location after five (5) interviews or two (2) years will be reassigned to a custodial vacancy as soon as practicable.

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# SCHEDULING VACATION LEAVE FOR CUSTODIANS

The following is a reasonable approach to use in scheduling vacation leave for the custodial staff:

1. Principal and/or plant operator meet with entire custodial staff during April for the purpose of advance planning for vacations.
2. Vacation may be taken in whole days only and may be scheduled for one (1) day or several consecutive days. It is expected that normally no more than two consecutive weeks vacation would be requested and approved.
3. Principal and/or plant operator identifies those weeks or parts of weeks that are not appropriate for vacation approvals; for example:
  - a. week before and week after the beginning and end of school
  - b. school days close to holidays such as Halloween, Valentine's Day, Thanksgiving, Christmas, etc. for schools with small staffs
  - c. special events such as festivals and open house
  - b. tournaments and other such events
4. Allow a few days for custodians to gather information, talk with spouse, etc., before beginning to schedule vacations.
5. Beginning with the custodian with the most seniority, provide the staff an opportunity to schedule their vacation leaves ten to twelve months in advance.
6. Cancel approved scheduled vacation leaves only in the event of serious hardship.

The following factors should be considered when approving requested vacation leaves:

  - a. Special needs of the school program (particularly traffic flow), i.e., beginning of school, end of school, athletic events
  - b. Effect on remaining staff
    1. type of work to be completed (moving furniture, etc.)
    2. safety
  - c. Ability of the remaining staff to cover absences
    1. adjusting schedules and arrival and departure times
    2. doubling up
    3. availability of a substitute when necessary to get the basic housekeeping services provided
  - d. Adequate supervision for remaining permanent and temporary staff
  - e. Vacations already approved for other members of the custodial staff
  - f. Individual circumstances of the employee
    1. individual preference
    2. spouse's vacation time
    3. extenuating circumstances
7. Seniority when two or more custodians have a preference for the same available time.

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# ITINERANT ELEMENTARY TEACHERS ART, MUSIC, COMPUTER AND PHYSICAL EDUCATION GUIDELINES

The following are guidelines to assist with implementation of provisions in the Agreement that apply specifically to itinerants. Supervisors and itinerant teachers are expected to make every reasonable effort to adhere to these guidelines.

1. Itinerant teachers should normally be assigned to schools on a full day basis. This will be a consideration for the joint JCBE-JCTA advisory committee established to develop the yearly pairings.
2. Student scheduling may be a part of the participatory management/SBDM process. However scheduled, consideration should be given such that itinerant teachers are not normally scheduled for more than eight (8) instructional segments per day. In extenuating circumstances, nine instructional segments may be necessary. For efficiency and effective student management, time should normally be allowed between instructional segments.
3. Scheduling should take into consideration the normal attention span of the students at a given grade level. This generally is considered to be:

Primary	25-30 minutes
Intermediate	30-40 minutes
4. Classes should normally not be combined or scheduled together at the same time for instruction.
5. For purposes of planning, inventory, and storage of equipment and supplies, itinerant teachers new to a school should not be scheduled classes on the first duty day at that school. For the same purposes, itinerant teachers not returning to a school should not be scheduled classes the last duty day at that school. Itinerant teachers not new to a school should be free of classes half of the first duty day at that school. Those teachers assigned to return to a school for the next year should be free of classes half of the last duty day at that school.
6. Development of the school budget is an appropriate activity for participatory management/SBDM. However developed, the principal is to assure that adequate supplies for the art, music, computer, and physical education programs are available to the itinerant teachers and that secure storage space is provided for these materials. A list of minimal equipment and supplies for each program area should be obtained from the appropriate curriculum specialist. The itinerant teachers are to provide a list of supplies needed at each school to the principal of each school.
7. Itinerant teachers should work closely with the basic classroom teacher and together implement the approved curriculum.
8. Adequate space and sufficient furniture should be provided to accommodate the number of students assigned.
9. Itinerant teachers should be informed in advance when exceptional child education students are mainstreamed into a particular class, as well as any special needs/problem students.

# TEACHER PERFORMANCE EVALUATION

The work performance of all non-tenured teachers is to be evaluated annually by appropriate administrative personnel according to the instructions below and the requirements of the JCBE-JCTA Agreement. The work performance of all tenured teachers is to be evaluated at least every three (3) years. The major purposes of the evaluation process are recognition and improvement of job performance.

## GENERAL INSTRUCTIONS FOR TEACHER EVALUATION

1. Both tenured and non-tenured teachers are documented using Form D:
  - a. Each tenured teacher is to be evaluated at least once every three years using the Comprehensive Teacher Performance Evaluation (Form D) including when significant deficiencies in teacher work performance are observed.
  - b. Each non-tenured contract teacher is to be evaluated annually using the Comprehensive Teacher Performance Evaluation (Form D).
2. No later than the end of the first month of each year, a pre-observation conference is to be held with each teacher to discuss job expectations and applicable evaluation criteria, forms and procedures. This requirement may be satisfied in either a group format (faculty/team meeting) or in an individual conference format. An individual pre-observation conference is to be summarized on a Formative Evaluation Form E-2. A meeting agenda which includes a notation regarding discussion of Teacher Evaluation will satisfy documentation of a group format.
3. Performance evaluations are to be conducted in such a manner as to allow a reasonable amount of time for deficiencies to be corrected before completing the Summative Evaluation Form.
4. All monitoring or observation of work performance of a teacher is to be conducted openly and with the full knowledge of the teacher.
5. The teacher is to be notified in advance of the time and date of one (1) observation for evaluative purposes.
6. Observations by the evaluator are required prior to the summative evaluation of a teacher's work performance. Although more than one (1) observation/conference is recommended, principals/supervisors must observe the performance of a tenured teacher at least one (1) time and provide feedback on that observation in a conference. Multiple observations are required for all non-tenured teachers and those undergoing the deficiency process.
7. In a conference held to discuss an observation, the evaluator is to acknowledge both the strengths as well as the deficiencies of the teacher and is to note all data used to support the conclusions reached. The conference is to be summarized on the Formative Evaluation Form E-2.
8. The evaluator is to provide/suggest materials, staff resources, ideas designed to assist the teacher to improve and is to make a fair and objective effort to determine whether deficiencies have been corrected.
9. A Professional Growth Plan (a plan for personal professional growth related to the assignment or to characteristics of effective teaching and the criteria for assessing the degree to which progress is made), which the teacher has helped




# TEACHER PERFORMANCE EVALUATION SIGNIFICANT DEFICIENCY NOTED

The work performance of all non-tenured teachers is to be evaluated by appropriate administrative personnel according to the instructions below and the requirements of the JCBE-JCTA Agreement. The work performance of all tenured teachers is to be evaluated at least every three years. The major purposes of the evaluation process are recognition and improvement of job performance.

## GENERAL INSTRUCTIONS FOR TEACHER EVALUATION WHEN SIGNIFICANT DEFICIENCIES NOTED

1. Both tenured and non-tenured teachers are documented using Form D:
  - a. Each tenured teacher is to be evaluated at least once every three years using the Comprehensive Teacher Performance Evaluation (Form D) including when significant deficiencies in teacher work performance are observed.
  - b. Each non-tenured contract teacher is to be evaluated annually using the Comprehensive Teacher Performance Evaluation (Form D).
2. No later than the end of the first month of each year, a pre-observation conference is to be held with each teacher to discuss job expectations and applicable evaluation criteria, forms and procedures. This requirement may be satisfied in either a group format (faculty/team meeting) or in an individual conference format. An individual pre-observation conference is to be summarized on a Formative Evaluation Form E-2. A meeting agenda which includes a notation regarding discussion of Teacher Evaluation will satisfy documentation of a group format.
3. All monitoring or observation of work performance of a teacher is to be conducted openly and with the full knowledge of the teacher.
4. The teacher is to be notified in advance of the time and date of one (1) observation for evaluative purposes.
5. Observations by the evaluator are required prior to the summative evaluation of a teacher's work performance.
6. In a conference held to discuss an observation, the evaluator is to acknowledge both the strengths as well as the deficiencies of the teacher and is to note all data used to support the conclusions reached.
7. The evaluator is to provide/suggest materials, staff resources, and ideas designed to assist the teacher to improve and is to make a fair and objective effort to determine whether deficiencies have been corrected.

Continued

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8. When significant deficiencies (those which could be grounds for the non-renewal or termination of a teacher's contract) in work performance are observed, the General Instructions are to be followed, and
    - a. the appropriate department head and the Director of Employee Relations are to be consulted and copies of Form E-1 submitted for review before being given to the teacher,
    - b. a conference is to be held with the teacher,
    - c. the teacher is to be notified in writing (Form E-1) that deficiencies have been observed requiring the completion of a Comprehensive Teacher Performance Evaluation,
    - d. the deficiencies are to be identified and discussed,
    - e. professional staff services and/or materials which the teacher may use to help correct the deficiencies are to be identified, and
    - f. a staff person who will not evaluate the teacher is to be identified from whom the teacher may seek advice.
  9. Evaluations of teachers observed to have significant deficiencies in work performance are to be conducted in such a manner as to allow a reasonable amount of time for deficiencies to be corrected prior to completion of the Comprehensive Teacher Performance Evaluation Form D (submitted for review prior to being issued to the teacher).
  10. Observations of teachers identified as having significant deficiencies in work performance are to be:
    - a. conducted for a minimum of four (4), thirty (30)-minute periods of time during which the teacher is performing job responsibilities,
    - b. conducted over a twelve (12)-week period (60 worked days) beginning with the date of the notification, and
    - c. followed within five (5) days of each observation by a conference with both the observation and conference to be summarized in writing (Form E-2).
  11. When significant deficiencies in work performance are recurring but do not lend themselves to a thirty (30)-minute observation, the teacher is to be notified in writing (Form E-1) of the deficiency with a timeline established of no longer than forty-five (45) worked days for correcting the deficiency, periodic conferences held and summarized (Form E-2), professional staff and/or materials identified, and a Comprehensive Teacher Performance Evaluation (Form D) completed.
  12. All summative evaluations are to be in narrative style.
  13. A conference is to be held to discuss the summative evaluation when it is received by the teacher, focusing on strengths and areas needing improvement.

Continued





- 14. The teacher may request observations by another teacher trained in the teacher's content area or by a curriculum content specialist. The selection of the observer shall, if possible, be determined through mutual agreement by the evaluator and the evaluatee. The teacher who exercises this option must do so, in writing to the evaluator, by no later than February 15 of the academic year in which the summative evaluation occurs. If the evaluator and the evaluatee have not agreed upon the selection of the observer within five (5) working days of the teacher's written request, the evaluator shall select the third-party observer.
- 15. Notifications of deficiencies, E-2 conference summaries, and performance evaluation forms are to be completed in triplicate with one (1) form retained by the evaluator, one (1) form provided to the teacher, and one (1) form for inclusion in the teacher's personnel file forwarded first to the appropriate department head for review.
- 16. When failure to satisfactorily correct deficiencies leads to a recommendation for termination or non-renewal of a teacher's contract, the Professional Growth Plan section shall be marked "not applicable" since the deficiency has not been corrected satisfactorily.
- 17. When significant improvement of noted deficiencies is observed, the Professional Growth Plan section is to be marked appropriately.

(Rev. 07/01)

# CLASSIFIED PERFORMANCE EVALUATION

The work performance of all support staff is to be evaluated annually by appropriate administrative personnel according to the instructions below. The major purposes of the evaluation process are recognition and improvement of job performance.

## GENERAL INSTRUCTIONS FOR SUPPORT STAFF EVALUATION

1. Classified performance evaluations are of two types: annual and probationary.
  - a. Each support staff employee is to be evaluated annually using the Classified Employee Evaluation, Form F.
  - b. Probationary evaluations include:
    - 1) Initial employment - the evaluation of newly hired classified employees on initial probation; the first evaluation is to be completed at 30 worked days; the second evaluation is to be completed at 60 worked days; the final evaluation is to be completed at 90 worked days.
    - 2) Reassignment - the evaluation of classified employees who are reassigned to a different job; first evaluation completed at 45 worked days if performance is unsatisfactory; second or only evaluation completed at 90 worked days.
    - 3) Special - the evaluation of any classified employee who evidences deficient and/or unsatisfactory work performance; these evaluations may be initiated at any time following notification of the Director of Employee Relations.
2. The evaluator reviews the job description with the employee within 25 worked days of the employee's beginning of the work year or within 5 worked days for those employees newly hired (probationary) or newly assigned (reassignment). The evaluator:
  - a. identifies specific tasks to be completed;
  - b. identifies and sets priorities, and
  - c. sets standards of job performance.
3. The evaluator observes employee performance in an open, non-secretive manner.
4. The evaluator conferences with the employee to share findings from observations and other data. During the evaluation conference, the evaluator:
  - a. provides feedback and positive reinforcement when appropriate,
  - b. identifies areas of concern and sets priorities for attention,
  - c. writes an objective for each area determined as needing improvement,
  - d. provides suggestions and assistance, both verbal and in narrative form, on evaluation Form F,
  - e. explains timelines and determines time for the next conference,
  - f. solicits employee's ideas and advises employee of the appropriate appeal procedures, if applicable,
  - g. gives a copy of the completed evaluation form to the employee,
  - h. submits a copy of the evaluation to the appropriate department head for review and inclusion in the personnel file, and, where appropriate, recommends personnel action.




5. All deficient/unsatisfactory work performance evaluations are to be reviewed by the unit director/school center head or next in authority relationship, before presentation to the employee to ensure that:
  - a. evaluations are based upon job performance and related activities.
  - b. any deficiencies noted have been brought to the attention of the employee and supporting documentation is available, and
  - c. the procedures in the evaluation process have been followed.
6. All unsatisfactory evaluations used as a basis for discharge or termination of an employee are to be submitted to the appropriate department head for informational purposes and reviewed through the Employment Practices Review Committee process before being issued to the employee.
7. Satisfactory work performance evaluations should also be reviewed at random by the appropriate unit or office director to ensure that evaluation procedures are implemented in accordance with the purposes and procedures of the evaluation process.
8. An employee may submit a written response within 10 days of the receipt of the evaluation to Personnel Services. The response is to be attached to the evaluation.
9. An employee may appeal an evaluation through the appropriate supervisory channels or the applicable complaint or grievance procedure.
10. During or as a result of the appeals process, an evaluation may be amended or a new evaluation written to replace the original. A response by an evaluator to responses(s) of the employee is not expected.

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# PROFESSIONAL STAFF JOB-SHARING

1. A job-sharing proposal must be submitted in writing annually no later than May 1 of each year by those requesting assignments to job-sharing positions. Teachers returning from leave must complete all requirements no later than July 15.
2. Job-sharing proposals must include plans for a meeting to explain the program to the parents of students involved before implementation of the proposal.
3. The principal must approve job-sharing proposals.
4. Job-sharing assignments shall be filled only by full-time teachers who are under active continuing contract with the school district, who have jointly agreed to work together, and who have signed a contract designed for this purpose.
5. Each teacher in a job sharing assignment must elect to teach one-half of the allotted time for a full-time position (plus an overlap period in the middle of the school day) where applicable.
6. Both teachers in a job-sharing position must sign the grade cards and make other appropriate reports and records.
7. Employees participating in the program must adhere to all rules and regulations which govern the conditions of employment of full-time school employees and will perform all duties required of any teacher under a full contract; i.e. conferences, extra duty assignments, staff meetings, in-service, etc.
8. Since the time worked is less than a four-hour day, teachers who elect to be assigned to job-sharing positions do not receive benefits reserved for full-time employees except as stipulated in the JCBE-JCTA Agreement provisions relative to part-time employees.
9. Compensation will be computed as one-half of the annual salary that the individual teacher would have made as a full-time teacher based on the individual teacher's rank and step on the teachers' salary schedule.
10. Step increases based on experience will be credited in accordance with state statute governing part-time employment, KRS 157.320(10).
11. Job sharing teachers will be credited with one-half (.5) sick leave days per month and will be deducted on the basis of .5 day for each absence.
12. Emergency leave and personal leave days are not credited to the record of teachers in job sharing positions
13. KTRS deductions are reserved for full-time certified employees and, therefore, will not be deducted from salaries of job sharing participants. Teachers may make arrangement with KTRS to purchase fractional years of service in accordance with retirement system regulations.
14. Certification renewal is the responsibility of the teacher and information from the state certification agency will be provided to each teacher participating in the program. Any teacher participating in the shared-time program who desires to return to full-time employment must submit such a request in writing to Personnel Services.

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15. When returning to full-time employment, a part-time/ shared-time teacher will be placed on the transfer list in order of his/her seniority date and a school assignment will be made in accordance with the transfer provisions of the JCBE-JCTA Agreements.
  16. For purposes of these procedures, participation in the job sharing program shall not be considered as a break in service when determining the seniority date of a job sharing program participant.
  17. The seniority date of the most senior teacher in a job sharing position will be considered the seniority date of the team. A principal will use this date, applicable only if a job sharing position is renewed, when making overstaff decisions.
  18. When a job sharing position is dissolved or not renewed, the teacher who initially occupied the position has the first right to that full time position. If neither teacher held the initial position, the most senior member of the job sharing team has first rights to the position.
  19. Job sharing teachers are subject to suspension of contract during staff reductions and have recall rights to positions for which they are or become qualified.
  20. The job performance of each participant will be evaluated annually by the principal.
  21. The participants, the principal and appropriate instructional staff, will evaluate the effectiveness of the program annually in writing.

# GAINFUL EMPLOYMENT WHILE ON LEAVE OF ABSENCE

Paid and unpaid leaves of absence are granted to employees in compliance with federal and state regulations and with the policies of the Jefferson County Board of Education. While on leave, employees are prohibited from being gainfully employed EXCEPT as noted and within the parameters set below. At the time a leave is requested, or at the earliest date possible prior to becoming gainfully employed, the employee must notify Personnel Services of his/her intent to be employed during the leave of absence. Violation of this procedure will result in revocation of the leave of absence and may include disciplinary action and possible disciplinary action.

<u>TYPE OF LEAVE</u>	<u>GAINFUL EMPLOYMENT APPROVAL</u>
ADOPTION/CHILD REARING LEAVE	YES <sup>2</sup>
EDUCATION/TRAINING LEAVE	NO
EMERGENCY LEAVE	NO
INSTRUCTIONAL IMPROVEMENT LEAVE	NO
JURY DUTY LEAVE	NO
MEDICAL LEAVE	NO
MILITARY LEAVE	YES <sup>1</sup>
PERSONAL LEAVE	YES <sup>1</sup>
POLITICAL ACTIVITY LEAVE	YES <sup>1</sup>
PROFESSIONAL LEAVE	NO <sup>3</sup>
SICK LEAVE	NO
SUBSTITUTE STATUS	YES <sup>4</sup>
VACATION LEAVE	YES <sup>1</sup>

- 1 *Employees granted this leave are prohibited from gainful employment in any position in the Jefferson County Public School District and from employment as an independent vendor/contractor paid from JCPS funds.*
- 2 *Employees granted this leave are prohibited from gainful employment during their normal JCPS work hours UNLESS employed in a job performed in their home.*
- 3 *Employees granted this leave are prohibited from gainful employment during the leave EXCEPT as noted in the procedures for Requests for Professional Leave of Absence.*
- 4 *An employee who qualifies for professional leave or child rearing leave may instead choose to go to "substitute status." In this status an employee may serve as a substitute teacher assigned through the Substitute Teacher Center Office. An employee in this status has the same rights and benefits, including representation, of a substitute teacher. If an employee wishes to return to employee status, the employee has the same rights to return to service as an employee on the above mentioned list.*

# INITIAL PROBATIONARY EMPLOYEES ABSENT FOR MEDICAL REASONS

Employees in initial probationary status are not eligible for leave of absence, paid or unpaid, with the exception of absence without pay for medical reasons. The following procedures apply when a probationary employee is absent without pay for medical reasons.

1. Employees in initial probationary status may be granted excused absence for medical reasons for no more than ten (10) workdays during the probationary period. A physician's statement covering the absence(s) must be submitted that specifies the nature of the reason for the absence(s).
2. Employees in initial probationary status who are absent for medical reasons for more than ten (10) workdays shall be discharged except those who are absent for medical reasons connected with Workers' Compensation.
3. The absence of initial probationary employees who are absent for medical reasons connected with Workers' Compensation will be reviewed in order that decisions may be reached regarding continued employment.
4. Employees in initial probationary status shall be discharged if absent for reasons other than for verifiable medical or emergency reasons specifically applicable to permanent employees.
5. An exit summative evaluation will be completed on any employee discharged from initial probationary status.
6. Employees with satisfactory job performance who are discharged from initial probationary employment due to absences for verifiable medical reasons are eligible for consideration for re-employment. The employee must be able to return to work and able to perform the essential functions of the position with or without reasonable accommodations as determined by a physician, and have submitted a written request for consideration.
7. Employees considered for re-employment after discharge due to absences for medical reasons are subject to physical examination by a Board-appointed physician.

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# EXTENDED MEDICAL LEAVES OF ABSENCE

The following procedures apply when an employee is absent from duty due to medical reasons for an extended period of time.

These procedures apply specifically to leaves for Workers' Compensation purposes, but may be applied to other situations in extenuating circumstances.

1. Applicable provisions and procedures related to medical leaves of absence will apply.
2. The Employment Practices Review Committee will review, provide advice, and monitor each situation.
3. Each case will be individually reviewed with regard to provisions and procedures for the automatic termination of employment and for the filling of positions when an employee experiences extended absence from duty. These automatic provisions may be waived and a position reserved based upon medical evaluation and the expected length of absence.
4. When automatic provisions are waived and it is not reasonable to staff a reserved position with a substitute, temporary, or reassigned employee, an employee may be temporarily assigned to the position for the duration of the reserved status. The employee will be a temporary appointee who will be treated as an initial probationary employee with regard to benefits during the period of temporary assignment, but without obligation for continued employment when the position is no longer reserved. Benefits as appropriate will be credited accordingly.
5. When an affected employee is released to return to work, decisions regarding employment will be based upon a current medical evaluation and will include consideration of the degree of physical loss/restrictions, if any, and the degree of accommodation required. The employee may be able to return to the same duties without restrictions, return to the same duties with reasonable accommodation for any restrictions, return to a job classification/position that reasonably accommodates permanent restrictions and paid accordingly, or may not be returned to work.
6. The employee may be required to obtain at personal expense some personal equipment or devices as required in order to perform the duties of the job.

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# REQUESTS FOR PROFESSIONAL LEAVE OF ABSENCE

One way that professional staff employees may improve the quality of the school District's services is to participate in opportunities for professional growth. Professional leaves of absence for educational and professional purposes that will exceed one (1) school month may be granted for up to two (2) years subject to periodic and/or annual review and to the following procedures:

1. A request must be submitted on the appropriate form to Personnel Services specifically explaining the nature of the leave and the purpose(s) for which the leave is to be used.
2. Whenever practicable, the written request must contain the signature of the employee's supervisor(s) indicating knowledge of the request.
3. Professional staff may be approved for leave of absence for educational purposes without loss of salary status when:
  - a. the leave is for the purpose of enrollment in a college/university as a full-time student (minimum of 12 semester hours or equivalent as defined by the college/university), and
  - b. the general program of study is an approved program area directly related to the needs of the District.
4. Administrative employees, who have accepted voluntary demotion to teacher status, and other professional staff employees may be approved for leave of absence for professional purposes when the leave is for the purpose of gainful employment with a Kentucky city, county, or state department/agency with which the District interacts, or with the Teachers' Retirement System, or in an approved exchange program. With the exception of approved exchange programs, professional purposes do not include employment in another public school district or a nonpublic entity.
5. A professional leave of absence may be renewed for an additional period of time after review and approval by appropriate administrative personnel.
6. Professional leaves of absence will be reviewed at least annually, and proof of participation in the educational/professional activity for which the leave was requested will be required.
7. Upon return to service from a professional leave of absence, the employee will resume teacher contract status and be placed on the Teachers Salary Schedule at the appropriate level according to salary placement rules.
8. Upon written request for consideration, employees returning to the District as a teacher may, without application of all steps of the promotional procedures, be appointed to a vacant position at the administrative level held in the District at the time a professional leave was approved. Such appointments will be made based upon consideration of affirmative action balance, evaluative material in the personnel file, and approval of the Superintendent.
8. The Superintendent may waive provisions of these procedures in circumstances involving the legitimate interests of the school District.

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# ADMINISTRATIVE DUE PROCESS PROCEDURES

The Jefferson County Public School District is a business. As with any business, the District must be operated with sound, efficient, and effective management practices. Employment is essentially an agreement between the employer and the employee. Continued employment is dependent upon the employee's commitment to the need to conform to the employer's expectations and standards. In most situations and with most employees, positive leadership obviates the need for corrective discipline/progressive assistance. However, there may be times when the supervisor has attempted to change employee performance through helpful and positive motivational techniques, but an employee fails to fulfill the employment commitment. When this occurs, some form of corrective discipline/progressive assistance designed to improve the quality of job performance and to re-establish that commitment is to be expected.

Prior to initiating any corrective discipline/progressive assistance, the supervisor should review the requirements associated with "due process" and "just cause."

## QUESTIONS TO ASK

The effective administrator will ask the following questions before proceeding with corrective discipline/progressive assistance:

1. Was the rule, conduct, procedure, or order known to the staff member or one that the reasonably prudent employee should have known about? Was it one that would be considered reasonable and related to efficient, orderly operation of the school or office? Have I published the rules and posted them on the staff bulletin board for all to see? Have I assured myself that all staff members have received a copy of the rules, e.g., a handbook? Have I stated the rules simply and in clear, understandable form? Have I made the rules reasonable and enforceable, and are they directly related to the orderly, efficient, and safe operation of the building?
2. Was the staff member notified relative to his/her expected behavior in this regard and was there prior knowledge and indication of probable disciplinary consequences for failure to comply on the part of the staff member?
3. Was there a fair and objective investigation of the circumstances and the facts prior to discipline and, in fact, was there a clear violation or disobedient action? Did I meet with the employee to obtain his/her side of the story? Have I conducted an investigation and clearly determined that a violation has occurred?
4. Are there specific data, documentation, and other information that exist to substantiate and verify the situation? Have I considered extenuating circumstances that may have caused or might excuse the staff member's offense or conduct? (Failure in the past to require staff members to meet fully their responsibilities or inconsistent enforcement of school rules may constitute extenuating circumstances. In such cases, republish, repost, and make known to all staff the requirements expected from each in the future.)
5. Does the disciplinary action taken reflect a degree that is consistent with the seriousness and nature of the offense? Is it reasonable?
6. Has the staff member's previous record been considered and has he/she received treatment that is consistent with others who have been disciplined for similar circumstances?



## **THE EMPLOYMENT PRACTICES REVIEW COMMITTEE**

When it has been determined that non-renewal or termination of contract, suspension without pay or discharge is appropriate action, the Director of Employee Relations, who chairs the Employment Practices Review Committee, and the appropriate Personnel Services administrator are to be consulted prior to informing the employee of the decision. This should ensure system wide consistency and compliance with provisions of negotiated agreements. The Director of Employee Relations will schedule a presentation before the Employment Practices Review Committee. The committee review process is for the benefit of the supervisor(s) in order that decisions reached are informed decisions.

**THE EMPLOYEE IS NOT TO BE TOLD OF THE MEETING AND SHALL NOT ATTEND THE MEETING NOR BE APPRISED OF THE DELIBERATIONS.** The Committee will review all documentation supporting the recommendation with the supervisor(s) involved and will provide opinions and suggestions with regard to the legal, contractual, regulatory, and policy aspects of the pending action. **THE COMMITTEE DOES NOT MAKE DECISIONS.** The decision with regard to proceeding with the pending action rests with the supervisor(s) involved.

## **GRIEVANCES / COMPLAINTS**

Inevitably, even the best supervisor will be grieved when discipline and/or adverse evaluation has been administered. By Board policy, each employee has a right to take issue with a supervisor's action and, if eligible for representation by an employee organization, the right to process a grievance with the assistance of that organization. The Director of Employee Relations should be notified immediately if a grievance is filed.

Employees are expected to bring complaints and allegations to your attention informally before getting an employee organization involved. However, when an employee fails to do so, don't make a big point of it. Let the employee know that he/she, too, has requirements to meet in the agreement; then proceed to handle the complaint.

Before meeting with an employee and/or the representative, you should honestly re-check the questions with regard to "due process" and "just cause" and re-visit the checkpoints that led to your decision to discipline. After meeting with the employee and/or the representative, you should carefully and honestly investigate the alleged violation of rights to determine if, in fact, some error was made.

**DO NOT MAKE ANY DECISIVE STATEMENTS** until you have had a chance to review the alleged violation. If you determine that an error was in fact made, it should be corrected immediately. It is not a good idea to want the matter settled at a higher level. Such actions only serve to undermine your authority and credibility as a supervisor. Remember that, if the grievance is referred to a higher level for review, you have relinquished all control over the process and of the decision.

If you are reasonably sure that the allegation has no basis, the Employee Relations Office needs to be contacted immediately for assistance with the response.

Objectivity should be maintained throughout and the process viewed in terms of what is best for the District or school, not as a personal loss or triumph.

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# SUSPENSION WITHOUT PAY AND DISCIPLINARY PROBATION CLASSIFIED SUPPORT STAFF

1. Prior to taking any disciplinary action beyond the reprimand, the appropriate supervisor must be informed AND the director of employee relations consulted.
2. Prior to taking any disciplinary action for offenses involving drugs, alcohol, firearms, or sexual misconduct, the appropriate supervisor AND the director of employee relations are to be consulted.
3. Suspension without pay shall be for five (5) days for all offenses unless an exception is approved through the disciplinary review process. Exceptions may be made where a clear, consistent, recognizable trail can be established that is uniformly applied for similar offenses committed by any employee within a representation unit regardless of the supervisor/cost center/division.
4. Disciplinary probation shall be for ninety (90) working days as per Board policy unless an exception is approved through the disciplinary review process. Exceptions may be made where a clear, consistent, recognizable trail can be established that is uniformly applied for similar offenses committed by any employee within a representation unit regardless of the supervisor/cost center/division.
5. Probationary periods (whether initial, reassignment, or disciplinary) will not be extended unless an exception is made through the disciplinary review process. Exceptions may be approved ONLY on the rare occasion where an incident or situation arises near the end of an otherwise satisfactory probationary period. Otherwise, the supervisor must make a decision prior to the ninetieth day.

An extension of any probationary period shall be for thirty (30) working days only. No further extensions will be made.

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## EMPLOYEE CONDUCT INVOLVING FIREARMS

Except as part of a District-approved instructional or employment activity, employees are specifically prohibited from engaging in activities involving firearms or other deadly weapons of any and all kinds on District-operated property.

Except as part of a District-approved instructional or employment activity, employees who possess, use, procure, proffer, or sell firearms or other deadly weapons while on District-operated property will be reprimanded, suspended without pay or discharged.

Employees who are charged with firearms/deadly weapons offenses may be relieved of duty and/or restricted in duty assignments pending investigation into the nature and extent of the offenses and decisions regarding appropriate disciplinary action.

Employees who are charged with firearms/deadly weapons offenses and who are assigned to duties/locations that place them in actual or probable contact with students will be relieved of duty or restricted to assignments that eliminate this contact.

Employees convicted of or pleading guilty to FELONY firearms/deadly weapons offenses will be discharged.

Employees convicted of or pleading guilty to MISDEMEANOR firearms/deadly weapons offenses will be conferenced and may be discharged. A second conviction will result in discharge.

## EMPLOYEE CONDUCT INVOLVING SEXUAL MISCONDUCT OR VIOLENT CRIME

Employees are expected to refrain from engaging in activities involving sexual offenses and violent crimes specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes.

Employees who are charged with any sexual offense or violent crime specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes which involves minors will be immediately relieved of duty and/or restricted in duty assignments pending investigation and decisions regarding appropriate disciplinary action.

Employees who are charged with any sexual offense or violent crime specifically or by reference included in Chapter 17 of the

Kentucky Revised Statutes which does not involve a minor may be relieved of duty and/or restricted in duty assignments pending investigation and decisions regarding appropriate disciplinary action.

Employees assigned to duties/locations which place them in actual or probable contact with students will be relieved of duty or restricted in assignments so as to eliminate this contact.

Employees who are convicted of or plead guilty to any sexual offense or violent crime specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes will be discharged.

For purposes of implementing these guidelines, the following classifications apply:

- 1 Provisions of KRS 161.790(7) will be applied.
- 2 For purposes of compliance with KRS 161.790(1), discharge will be for immoral character or unbecoming conduct.
- 3 For purposes of implementing these procedures, first-offender placement in the Commonwealth's Attorney Diversion Program is a guilty plea.
- 4 Unlawful Trafficking includes making, selling, transferring, or possessing with intent to sell.
- 5 Unlawful Possession includes having illicit materials for one's own use without intent to sell.
- 6 Application of 702 KAR 5:0802(f) will occur.



## **SUSPENSION WITHOUT PAY PROFESSIONAL STAFF**

- 1.** Prior to taking any disciplinary action beyond the reprimand, the appropriate supervisor must be informed AND the director of employee relations consulted.
- 2.** Only the superintendent has the authority to suspend an employee. Suspension without pay, in compliance with KRS 161.790, may be for the following causes:
  - a.** Insubordination
  - b.** Immoral character or conduct unbecoming a teacher or an administrator
  - c.** Physical or mental disability
  - d.** Inefficiency, incompetency or neglect of duty.
- 3.** Prior to taking any disciplinary action for offenses involving drugs, alcohol, firearms, or sexual misconduct, the appropriate director/supervisor AND the director of employee relations are to be consulted.
- 4.** Suspension without pay shall be for five (5) days for all offenses unless an exception is approved through the disciplinary review process. Exceptions may be made where a clear, consistent, recognizable trail can be established that is uniformly applied for similar offenses committed by any employee within a representation unit regardless of the supervisor/cost center/division.

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# DRUGS, FIREARMS, VIOLENCE, OR SEXUAL MISCONDUCT

The following guidelines apply when situations arise involving employee conduct related to the use/possession of controlled substances/chemicals or firearms, to violent actions and to sexual misconduct.

## EMPLOYEE CONDUCT INVOLVING CONTROLLED SUBSTANCES AND CHEMICALS

Employees are expected to refrain from engaging in activities involving controlled substances specifically or by reference included in KRS Chapter 218A and 902 KAR Chapter 55. Employees, who unlawfully possess, use, solicit, procure, proffer, or sell controlled substances or controlled chemicals (including alcohol, narcotics and non-narcotics without legitimate medical prescription) are subject to appropriate discipline. Employees who are charged with such offenses will be relieved of normal duty (with or without pay) and/or restricted in duty assignments pending investigation into the nature and extent of the offenses and decisions regarding appropriate disciplinary action.

Employees will be DISCHARGED if they are convicted of or plead guilty to any offenses which involve unlawful trafficking in controlled substances or controlled chemicals (including marijuana), whether occurring on or off District-operated property.

Employees will be DISCHARGED if they are convicted of or plead guilty to any offenses which involve alcohol-related unlawful transactions with minors, whether occurring on or off District-operated property.

Employees will be DISCHARGED if they are convicted of or plead guilty to any offenses which involve unlawful possessions and/or use of controlled substances or of possession and/or use of controlled chemicals, including marijuana and alcohol, on District-operated property.

Employees will be DISCHARGED if they are convicted of or plead guilty to any FELONY

offenses which involve unlawful possession of controlled substances or of possession of controlled chemicals whether committed on or off District-operated property.

Employees will be DISCHARGED if they are convicted of or plead guilty to any other FELONY drug/alcohol offenses whether committed on or off District-operated property.

Employees who are convicted of or plead guilty to any first-offender MISDEMEANOR offenses that involve unlawful possession of controlled substances or of possession of controlled chemicals, including marijuana, committed off District-operated property will normally be conferenced and encouraged to participate in an appropriate therapy program. A second conviction will result in discharge.

Employees whose job is to transport students shall be discharged if convicted of driving any motor vehicle under the influence of alcohol or any illicit drug within the past five (5)-year period. Employees whose job requires driving District vehicles, but does not include transporting students, shall be suspended without pay indefinitely if their driver's license is suspended. Other employees who are convicted of or plead guilty to first-offender MISDEMEANOR alcohol-related offenses that do not involve minors will normally be conferenced. A second conviction will also normally result in a conference with encouragement to participate in an appropriate therapy program. A third conviction may result in discharge.



## EMPLOYEE CONDUCT INVOLVING FIREARMS

Except as part of a District-approved instructional or employment activity, employees are specifically prohibited from engaging in activities involving firearms or other deadly weapons of any and all kinds on District-operated property.

Except as part of a District-approved instructional or employment activity, employees who possess, use, procure, proffer, or sell firearms or other deadly weapons while on District-operated property will be reprimanded, suspended without pay or discharged.

Employees who are charged with firearms/deadly weapons offenses may be relieved of duty and/or restricted in duty assignments pending investigation into the nature and extent of the offenses and decisions regarding appropriate disciplinary action.

Employees who are charged with firearms/deadly weapons offenses and who are assigned to duties/locations that place them in actual or probable contact with students will be relieved of duty or restricted to assignments that eliminate this contact.

Employees convicted of or pleading guilty to FELONY firearms/deadly weapons offenses will be discharged.

Employees convicted of or pleading guilty to MISDEMEANOR firearms/deadly weapons offenses will be conferenced and may be discharged. A second conviction will result in discharge.

## EMPLOYEE CONDUCT INVOLVING SEXUAL MISCONDUCT OR VIOLENT CRIME

Employees are expected to refrain from engaging in activities involving sexual offenses and violent crimes specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes.

Employees who are charged with any sexual offense or violent crime specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes which involves minors will be immediately relieved of duty and/or restricted in duty assignments pending investigation and decisions regarding appropriate disciplinary action.

Employees who are charged with any sexual offense or violent crime specifically or by reference included in Chapter 17 of the

Kentucky Revised Statutes which does not involve a minor may be relieved of duty and/or restricted in duty assignments pending investigation and decisions regarding appropriate disciplinary action.

Employees assigned to duties/locations which place them in actual or probable contact with students will be relieved of duty or restricted in assignments so as to eliminate this contact.

Employees who are convicted of or plead guilty to any sexual offense or violent crime specifically or by reference included in Chapter 17 of the Kentucky Revised Statutes will be discharged.

For purposes of implementing these guidelines, the following classifications apply:

- 1 Provisions of KRS 161.790(7) will be applied.
- 2 For purposes of compliance with KRS 161.790(1), discharge will be for immoral character or unbecoming conduct.
- 3 For purposes of implementing these procedures, first-offender placement in the Commonwealth's Attorney Diversion Program is a guilty plea.
- 4 Unlawful Trafficking includes making, selling, transferring, or possessing with intent to sell.
- 5 Unlawful Possession includes having illicit materials for one's own use without intent to sell.
- 6 Application of 702 KAR 5:0802(f) will occur.

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# JOB CLASSIFICATION AND RECLASSIFICATION

The following criteria will be used to determine whether requests for classification/ reclassification of jobs will be considered:

1. Classification/reclassification of a job will be considered following referral by the appropriate cabinet level supervisor.
2. Please keep in mind that the cost center head, not the employee, must initiate requests for job classification or reclassification and must provide explanations to employees in regards to these procedures. It is hoped that this listing of the criteria to be used will be helpful to you as you determine whether to request classification or reclassification of jobs in your department.
3. NEW jobs are to be requested for classification. New jobs are those that did not exist in the prior year's administrative organization or those jobs that did and will continue to exist, but that have had 75 percent or more of their major job functions significantly changed. New jobs are subject to advertisement.
4. Current jobs that HAVE BEEN REVIEWED in the past two (2) years may again be requested for review ONLY if they have been SIGNIFICANTLY MODIFIED (50 percent or more of the major job functions have been changed due to reorganization, change of cost center, or other action.) Requests may be for an upgrade or a downgrade. The results of the review may be an upgrade, a downgrade, or the same grade independent of the request.
5. Current jobs that HAVE NOT BEEN REVIEWED in the past two (2) years may be requested for review ONLY if the nature of the job has been SIGNIFICANTLY MODIFIED (in relation to internal/external equity or by a change in major job functions by 50 percent or more) since last review. Requests may be for an upgrade or a downgrade. The results of the review may be an upgrade, a downgrade, or the same grade independent of the request.
6. In each instance, Part II of the Request For Review form must specifically list each job eliminated from the organization chart in order to modify the job under consideration, must indicate the specific duties that are new to the job and what job (which is also to be submitted for review and possible reclassification) had responsibility for performing those duties before, or must contain a specific rationale for the need for new, additional duties not performed by that unit before.
7. In keeping with the rationale for reviewing jobs for classification, jobs that simply get a title change, those jobs that have been modified slightly (a change of less than 50 percent of the major job functions), those jobs that have been reviewed in the past two (2) years and have not been significantly changed, those jobs that have not experienced any changes in responsibility, and those jobs where only the volume of the work performed has changed may not be considered for review.

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# EMPLOYEES / STUDENTS COMMUNICABLE, INFECTIOUS, OR SIMILAR SERIOUS MEDICAL CONDITIONS

The following procedures apply in order to maintain required confidentiality and to avoid rumors and unwarranted intrusions on the rights of employees/students involved when supervisory and non-supervisory employees learn that an employee/student has contracted a communicable or infectious disease or other similar serious medical condition.


1. Reports/information related to employees who have allegedly or actually contracted a communicable, infectious, or similar serious medical condition are to be provided ONLY to the Director of Employee Relations, at 485-3151.  
  
Reports/information related to students who have allegedly or actually contracted a communicable, infectious, or similar serious medical condition are to be provided ONLY to the Coordinator of Health Services, at 485-3387.
2. The Director of Employee Relations and/or the Coordinator of Health Services will notify the Louisville and Jefferson County Public Health Department of the report/allegation.
3. Other District employees will be involved by the Director of Employee Relations and/or the Coordinator of Health Services ONLY on a need-to-know basis. The number of such employees will be kept to the minimum required to assure proper care and supervision of the infected employee/student and the work/school population.
4. Decisions regarding the need to remove an employee/student from the work/school setting because of a medical condition will be made on a case-by-case basis in compliance with District/state/federal guidelines applicable to the medical condition involved.

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# GUIDELINES FOR THE MANAGEMENT OF COMMUNICABLE, INFECTIOUS, AND SIMILARLY SERIOUS MEDICAL CONDITIONS IN THE SCHOOL/WORK SETTING

When the superintendent has been informed that an employee has contracted a communicable, infectious or similarly serious, life-threatening medical condition, the following procedures will apply:

1. When an individual learns that he/she has contracted a communicable, infectious or other similarly serious medical condition or that another individual has been thusly affected, this information should be provided only to the Director of Employee Relations.
2. The term “affected individual” in this context applies to school employees who have been diagnosed as having, or who are asymptomatic carriers of, a communicable, infectious, or similarly serious medical condition as defined by the Center for Disease Control and/or the Louisville and Jefferson County Public Health Department regulations including Acquired Immune Deficiency Syndrome (AIDS) and HIV-related illnesses.
3. The usual procedures which relate to illnesses among staff will also apply to individuals who have contracted a communicable, infectious or other similarly serious medical condition.
4. Affected individuals will not automatically be excluded from the school/work setting except when lesions are present and/or when the individual has contracted a communicable infection which would normally lead to exclusion from the school/work setting.
5. Decisions about the participation of affected individuals in the school/work setting will be made on a case-by-case basis. The decisions will be based on the affected individual’s plans, stage of contagious/infectious development, physical condition, and expected interaction with others in the school/work setting.
  - a. Where appropriate, decisions will include recommendations from the affected individual’s physician, the affected individual, and public health department personnel.
  - b. Decisions relative to the participatory status of an affected individual are subject to change and are dependent upon the sharing of medical information resulting from the individual’s condition.
  - c. When an affected individual plans to continue to function within the school/work setting, a meeting will be scheduled to consider what steps will be in the best interest of the affected individual and of the school/work setting.
  - d. Affected employees removed from the workplace will be entitled to use available accumulated paid leaves of absence, medical leave of absence and any available medical disability benefits as approved and determined by the appropriate agent.

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6. The identity of an affected individual shall not be publicly revealed. The superintendent will determine which school officials will share information about affected individuals and be involved in the decision-making process. Other school officials will be involved by the superintendent/ designee on a need to know basis only with the number of people informed of the affected individual's status kept to the minimum required to assure proper care and supervision of the affected individual and the school/work area population. All persons will preserve the confidentiality of information regarding the patient and records will be kept confidential.
  7. The Louisville and Jefferson County Public Health Department (the Department) will be notified of any individual affected or alleged to be affected. The Department, in conjunction with the individual's physician, after determining the degree of risk of transmission that the individual may pose, will, with the permission of the individual, share that information with the superintendent/designee only as required by law in the normal manner established for this purpose.
  8. Routine screening in the school/work setting for infections is not warranted. Except as required by regulation/statute, testing will not be required as a condition of continued employment.
  9. Information about affected individuals in the school/work setting shall not be disclosed to the general public, other school employees, or other groups associated with the school.
  10. Opportunities for students, staff, and parents to become fully informed about communicable/infectious diseases and about general, routine health and personal hygiene precautions will continue to be provided jointly by the District and the Department.

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# ALLEGED ASSAULT ON EMPLOYEE BY STUDENTS AND NONSTUDENTS

1. In case of an alleged assault on an employee, the principal/supervisor shall immediately report the incident to the Office of Investigations and the Business Affairs Office to request assistance.
2. Procedures and guidelines to be followed in the event of an assault shall be made a part of the school's/unit's emergency plans. These plans shall include procedures to be followed by employees working outside normal business hours.
3. The Executive Director of Business Affairs will coordinate all activities resulting from an assault on an employee and shall be the clearinghouse for all contact with principals/supervisors.
4. If an employee requests that police be contacted, the principal/supervisor shall contact city or county police.
5. The Business Affairs Office, Workers' Compensation Unit, is to be contacted immediately with a full first report of injury as soon as all the facts are gathered.
6. The Investigations Officer will complete an Assault Report Form and will assist the victim in filing charges in juvenile or district court (determined by the age of the alleged perpetrator) if requested by the victim.
7. The principal/supervisor shall identify all witnesses to be interviewed before arrival of the investigator and assist in obtaining written statements. It is important that all principals/supervisors cooperate fully with the investigation.
8. The principal/supervisor shall report to the Business Affairs Office the facts of the alleged assault and also report verification of any injuries so that a Workers' Compensation claim can be filed. The Workers' Compensation Unit is to be contacted for payroll reporting instructions.
9. The principal/supervisor should refer to the "Communicating Workers' Compensation Reporting Procedures" and/or consult with the Business Affairs Office and inform the victim of services that are available if injuries are sustained and/or the incident causes one to be absent from work.
10. An investigative report should be completed by the appropriate investigator and reviewed by the principal prior to student disciplinary action being taken.
11. The Director of Employee Relations is the clearinghouse for all communications with employee organizations and all staff will provide timely status reports on the progress of each case.

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# WORKERS' COMPENSATION INJURY REPORTS

All employees are automatically covered under the Workers' Compensation Insurance Laws. These laws protect against loss of wages and medical expenses which may result from injury sustained while working on the job.

In an effort to ensure each on the job injury is handled in the most efficient manner, the Workers' Compensation Office suggests the following procedures be followed:

1. Principals or Cost Center Heads should designate a reporting person/persons to be responsible for reporting all work-related injuries, regardless of severity, to the Workers' Compensation Office.
2. All such injuries must be called in, faxed or emailed to the Workers' Compensation Office (Benefits), within 72 hours of occurrence. (Do not mail Workers' Compensation reports.) The reporting person must have specific information about the injured employee and the complete details of the injury when making the report.
3. With the exception of severe bleeding, unconsciousness, obvious fracture, or other obvious emergency, EMS Technicians should not be called. The injured employee should also not seek treatment in a hospital emergency room in the absence of an emergency situation, but should be directed to Occupational Physicians Services, 3430 Newburg Road or the downtown office at 901 West Broadway. However, no employee should be referred to Occupational Physician Services if a report of the injury has not been made. For further assistance, contact the Workers' Compensation Office.
4. Any calls from medical providers or medical facilities requesting verification of Workers' Compensation or authorization to treat, should be referred to the Workers' Compensation Office. Questions from the injured employee should also be referred to the Workers' Compensation Office.
5. In the event an employee loses time from the job due to a work-related injury, the work location personnel should contact the Workers' Compensation Office immediately.
6. All medical bills incurred as a result of a work-related injury and any and all statements from a physician should be forwarded immediately to the Workers' Compensation Office.

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# EMPLOYEE BENEFITS

For information pertaining to employee benefits available for full-time, eligible employees, contact the Employee Benefits Office. The benefits are listed below:

Accidental Death and Dismemberment Insurance  
Automobile/Homeowners Insurance  
Cancer Insurance  
Classroom Teachers Credit Union  
County Employee Retirement System (CERS)  
Dental Insurance  
Emergency Leave Days  
Flexible Spending Accounts – Medical and Dependent Care  
Fringe Benefit Pool  
Group Life Insurance  
Group Term Life Insurance  
Health Insurance  
Kentucky Teachers Retirement System (KTRS)  
Legal Services Plan  
Liability Insurance  
Long Term Care  
Long Term Disability  
Personal Leave Days  
Short Term Disability  
Sick Days  
Supplemental Health Insurance  
Supplemental Term Life Insurance  
Supplemental Whole Life Insurance  
Tax Sheltered Annuities  
U.S. Savings Bonds  
Vacation Leave Days  
Vision Plan

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# TAX SHELTERED ANNUITIES

Full-time and part-time certified and classified employees are eligible to participate in a tax sheltered annuity through payroll reduction. The names of all companies approved by the Board of Education to sell TSA's to JCPS employees are available through the Business Affairs Office and are available on the Benefits website.

Any company representative sent to a school or work location for the purpose of promoting an approved product will be required to have possession of a letter of introduction confirming that the person is an authorized representative of the approved company. The letters of introduction are provided by the JCPS Business Affairs Office.

Visits to schools or work locations by company representatives must be approved in advance by the Principal or Cost Center Head, or their designee. No company will be permitted to use faculty meetings or work time to transact business for a TSA program unless approved by the Principal or Cost Center Head, or their designee. Employee attendance at any promotional meeting is optional.

Additional information regarding tax sheltered annuities may be obtained from the Business Affairs Office.

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# **EMPLOYEE ASSISTANCE PROGRAM**

The JCPS Employee Assistance Program is a confidential service designed to help employees whose job performance is approaching dissatisfaction due to personal problems with alcohol, drugs, finances, or other causes.

If an employee approaches you for information about counseling, refer the person to the office of Business Affairs. An employee can make a self-referral, or be referred by a supervisor.

The Employee Assistance Program may be mandatory for an employee only after review by the Business Affairs and Employee Relations.

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# COMMERCIAL AND CHARITABLE SOLICITATION OF EMPLOYEES

Employees are to refrain from activities that interfere with the proper discharge of their duties to the Jefferson County Public School District or that will subject them to acting in any manner other than in the best interest of the public and the school District. In order to maintain an efficient, productive workplace, the following procedures will apply to the commercial and charitable solicitation of employees and violations shall be grounds for disciplinary action:

1. Employees shall refrain from solicitation/sales activities directly or indirectly in conflict with the Kentucky Model Procurement requirements.
2. Unless materials/products for sale contribute to the educational program of the schools or to a District-approved activity (school-based fund-raisers, fund-raising activities, or an employee courtesy committee, etc.), solicitations involving commercial material/products on District-operated property are prohibited.
3. Unless material in an advertisement contributes to the educational program of the schools or to a District-approved activity, advertising of commercial materials/products on District-operated property (including, but not limited to, use of bulletin boards, distribution of hand bills or sales catalogues, and inclusion in publications) is prohibited.
4. Commercial materials/products include anything for sale by an employee for the employee's own financial gain that is the product of their own talent or skill as well as the product of an on-going commercial interest.
5. Commercial materials/products do not include public concerts, give away items, or one-time sale opportunities (puppies, vehicles, furniture, etc.) except that transactions (including phone calls or any other form of contact) may not take place on District-operated property and must not be illegal in Kentucky.
6. Any materials/products advertised on District-operated bulletin boards or in District-operated publications, must be approved by the appropriate, responsible administrator and conform to the provisions of these procedures.

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# DEATH OF AN EMPLOYEE

In the event of the death of an employee, the family or representative should be referred to Business Affairs. Information will be provided pertaining to the disposition of benefits.

Business Affairs will provide information related to Board paid and state paid life insurance.

07/2001

# INCLEMENT WEATHER PROCEDURES FOR TWELVE MONTH EMPLOYEES

When weather conditions may require the alteration of normal school or District operations, the following guidelines are to be followed when scheduling the work hours of twelve-month (260-day) employees.

1. When schools and/or administrative offices are open for business during inclement weather, all employees are to report for work at their regularly scheduled time unless otherwise instructed by their supervisor.
2. When schools and administrative centers are closed for an entire day, employees whose function is to maintain equipment/facilities (HVAC, Grounds, Electronics employees, for example) are to follow specific instructions of their supervisors regarding the need to report for work. All other twelve-month employees are not to report for work.
3. When only schools are closed for an entire day, all twelve-month day and first-shift employees are to report for work at their regularly scheduled time unless otherwise instructed; second- and third-shift school-based housekeeping employees are to report for work with the day employees so that project teams may be established; and second- and third-shift administrative center employees are to call their supervisor for instructions.
4. When schools and administrative centers are closed early due to a sudden change in weather conditions, employees whose function is to maintain equipment/facilities (HVAC, Grounds, Electronics employees, for example) are to follow the specific instructions of their supervisors. All other employees are dismissed from work in accordance with instructions from their supervisors and the Emergency Procedures for Closing Schools Due to Inclement Weather.
5. When only schools are closed early due to a sudden change in weather conditions, all twelve-month employees are to remain at work unless otherwise specifically instructed by their supervisor upon approval of the superintendent or designee.
6. When the entire District is closed all day due to weather conditions, twelve-month employees may use personal, sick, or emergency days in order to be paid.
7. Employees who do not report for work when schools and/or administrative centers are open for business, may use personal and, if legitimate, sick leave in order to be paid for the day.
8. Second- and third-shift hourly employees who are not required to report with the first shift and who are not able to report for work because all District buildings are closed for weather reasons, may use personal and, if legitimate, sick leave in order to be paid for the day.
9. Twelve-month hourly employees may also be given an opportunity to make-up any time lost from work when schools and other buildings are closed due to weather conditions; however, the time must be made up during the same workweek. Compensatory and make-up time in another workweek is not permitted by Kentucky labor laws.

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# OPERATION OF DISTRICT VEHICLES

The District's liability with regard to the safety of District employees, students, and other citizens is of paramount, legitimate concern, especially as this relates to employees who are required and/or permitted to drive District vehicles. The following procedures are applicable to employees who are required or permitted to drive a District vehicle and who become disqualified from driving due to traffic offenses and for medical reasons as determined by a District-appointed physician. Prior to application of these procedures, each situation shall be reviewed by the Employment Practices Review Committee.

## **EMPLOYMENT CONDITIONS RELATED TO DISQUALIFICATION FROM DRIVING VEHICLES DUE TO TRAFFIC OFFENSES**

1. District employees who do not possess a valid operator's license are not permitted to operate District vehicles, which require that the operator possess a valid operator's license.
2. Employees who are required/permitted to operate a District vehicle shall immediately inform their supervisor if their operator's license is suspended or revoked. Failure to provide such notification shall be grounds for disciplinary action.
3. Employees who operate a District vehicle while under the influence of or while in possession of a drug (including alcohol, narcotics, and non-narcotics that have no accepted medical use), or who operate said vehicle in a dangerous or reckless manner, shall be disciplined including possible discharge. Employees involved are subject to being relieved of driving privileges and/or reassigned to non-driving duties pending completion of investigation and final decisions as to disciplinary action.
4. Employees whose job function requires them to drive a District vehicle shall be suspended without pay concurrent with any suspension of their operator's license or discharged if their operator's license is revoked. If suspended, the employee's position shall be filled according to rules related to unpaid leaves of absence.
5. Employees whose job performance responsibilities do not require them to drive a vehicle in order to accomplish successfully those job performance responsibilities shall not be permitted to drive a District vehicle when their operator's license has been suspended or revoked. The District is not obligated at any time to make accommodations to ensure that the employee or the District vehicle gets to the job site; however, the supervisor may proceed to do so when the District determines that its needs so warrant. When circumstances dictate that affected employees are unable to perform the job functions for which they were hired because they or their vehicle cannot get to the work site, the employees will be docked for the time lost or permitted to use any accumulated vacation or personal leave.



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# CORRECTIVE ACTION PROCEDURES FOR ADMINISTRATORS

In most situations and with most employees, positive leadership obviates the need for corrective discipline or progressive assistance. However, there may be times when the supervisor has attempted to change employee performance through helpful and positive motivational techniques, but an employee fails to fulfill the employment commitment. When this occurs, some form of corrective discipline/progressive assistance designed to improve the quality of job performance and to re-establish that commitment is to be expected.

Dependent upon the nature of the violation and the degree of failure, employees who fail to conform to standards related to written administrative procedures and work rules should be provided an opportunity to improve job performance/behavior. The level of discipline should be directly related to the violation and may begin at any level, including discharge. Normally, corrective discipline is administered in a progressive manner appropriate to, and dependent upon, the nature and degree of failure, and may include conference (summarized in writing), reprimand, suspension without pay, or discharge. Temporary reassignment may be a preliminary step to reaching the final decision on disciplinary action. Probationary reassignment and/or suspension without pay,

in compliance with KRS 161.790, may also be used as an alternative to discharge. Any employee who is reprimanded in writing or formally disciplined has a right to a meeting with the Superintendent or designee recommending disciplinary action before action is taken. The employee has the right to be represented by the recognized employee organization, if one exists, during any meeting which is investigative in nature or which may lead to discipline. The employee has a right to all information forming the basis for disciplinary action.

Disciplinary action is separate from job performance evaluation. However, the summative evaluation is a summary of all work performance during the year including any job performance irregularity/weakness which resulted in disciplinary action. All disciplinary action should be noted on the summative evaluation form in the appropriate performance area and support documents attached for inclusion in the personnel file.

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# GUIDELINES FOR RECRUITMENT OF CENTRAL OFFICE ADMINISTRATORS

When a vacancy occurs the Superintendent will approve a Recruitment Committee and a process for securing a replacement. Although variations may be approved by the Superintendent, the guidelines for the usual process are described herein.

## **RECRUITMENT COMMITTEE**

The Superintendent will appoint a recruitment committee. The Executive Director of Human Resources or the Director Administrator Recruitment and Development will, with the appropriate cabinet level Division or Department Administrator or their designee, co-chair all recruitment committees and will assist in all stages of the process. Ordinarily the committee will consist of six (6) members; three (3) members from the home division, one of whom will serve as co-chairperson, three (3) members from the schools and/or other administrative units. Some committees may have seven (7) members and include one (1) community representative. The co-chairs, by consensus, will recommend all committee members.

## **PLANNING/SCHEDULING**

The committee will meet to design a recruitment plan. The job description will be reviewed to determine criteria by which applicants will be judged. This will include a review of the performance indicators, as well as the minimum and desirable qualifications. Tentative timelines, texts of advertisements, and procedures to be followed during the screening process will be determined. The district commitment to affirmative action will be reviewed as the committee is obligated to consider the under utilization of minorities and women where it exists.

## **SCREENING**

Each committee member will review resumes, references, and other materials submitted prior to meeting as a committee. Those applicants not meeting minimum qualifications will be notified of their elimination from consideration. Remaining candidates will be considered. Telephone interviews will be conducted to investigate candidates. Top candidates may be asked to respond to specific questions by submitting a video tape and/or written response. The interview committee will meet to review all information and identify no more than three (3) candidates to be invited to interview.

## **INTERVIEWS**

Each candidate will be invited to spend a day interviewing in the District. The purpose of the interviews is to determine the candidate's level of commitment, professionalism, attitude, interpersonal skills and interests as they relate to the mission of the department and the school district. The top candidates interview with the recruitment committee members, the supervisor(s), and the Superintendent, if the Superintendent should opt to do so. In order to determine the ability of a candidate, some processes may include a brief presentation on a topic agreed upon prior to the interview day. Presentations would be made in the auditorium and open to anyone wishing to attend.

An itinerary will be prepared for each candidate.



## **SELECTION**

The committee will review the top candidates with the supervisor(s) and by consensus make a recommendation to the Superintendent to hire an individual, to consider other applicants in the pool, or to initiate a new process. If consensus cannot be reached, or if requested by the Superintendent, more than one individual may be recommended. When the Superintendent completes the hiring process all remaining applicants will be informed.

## **FINANCIAL PLAN**

Jefferson County Public Schools may pay travel and lodging for out of district candidates. Candidates must make their own travel arrangements and will be reimbursed upon submission of original receipts.

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# ALTERNATIVE CALENDAR PROCEDURES

1. A school may adopt a Year-Round Calendar from one of the calendars as approved by the JCPS Board of Education.
2. A school may adopt a Year-Round Calendar after surveying parents and obtaining at least two-thirds concurrence by the teaching staff as required in Article V, Employee Rights, Section K of the JCBE/JCTA Agreement.
3. A school may adopt a year-round calendar only if the district incurs no additional expenses for additional staffing, itinerant services, preschool services, transportation, food services or building maintenance. A school must maintain the minimum level of required services. A school may pay for additional services required to support a year-round calendar from their local school budget.
4. Staff who do not want to work a year-round calendar may have an opportunity to transfer to a similar position within the district subject to bargaining unit restrictions.
5. A school may administratively alter the length of the school day by implementing a contract deviation as required in Article V, Employee Rights, Section K of the JCBE/JCTA Agreement. The altered school day must meet statutory requirements, be within the limits of the 9 1/2 month school calendar, and all additional costs must be assumed within the school budget.
6. Schools adopting an alternative calendar or administratively altering the school day of the 9 1/2 month calendar will confirm in writing to the Executive Director of Human Resources adherence to these procedures.
7. Schools adopting an alternative calendar will coordinate their educational programs through the appropriate assistant superintendent.

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# TEACHER SCREENING CRITERIA

The following criteria will be utilized for determining which applicants will be included in any pool of candidates eligible for hiring consideration by the site-based committees.

- Applicant must have a completed application on file with Personnel Services.
- Applicant must have four (4) references on file which attest to his/her ability to perform successfully as a teacher in the Jefferson County Public Schools.
- Applicant must have certification or be eligible for certification (completed all certification requirements) in the specified area in which the vacancy or interview occurs.
- Applicant must have scored satisfactory or above on all course work directly related to teacher training.
- Applicant must successfully complete a District-designed written assessment that relates to teaching and teachers.
- Applicant must successfully complete a District-designed assessment of the applicant's ability to organize and manage classroom instruction.
- As long as applicants who score 35 or above on a District-designed interview screening are available, applicants below the cutoff will not be considered for school-based interview.
- An applicant who, if selected, would put a school out of compliance with "singleton" will not be considered qualified for that specific school.

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# VOLUNTARY ADMINISTRATIVE TRANSFER/REASSIGNMENT LOCAL SCHOOL LOCATION

When school-based administrators voluntarily transfer, accept a voluntary reassignment from one school location to another, or when an employee is a new hire administrator, there is a District expectation that by accepting the position, barring unforeseen promotional opportunities, the individual has made a commitment to stay with that particular school for a sufficient period of time, to become a part of the “team” and make a significant contribution to the overall success of the school. The local school should determine an appropriate length of time for such a commitment, which should be discussed with the candidate before the final selection is made. For those individuals who have fulfilled this commitment and are interested in a voluntary transfer or reassignment from one school location to another, the following process will apply:

1. During the month of March, building-level administrators will be given the opportunity to apply for consideration for transfer to building-level position(s) which may become vacant and available for staffing. Information concerning specific vacancies can be obtained from the office of the Director Administrator Recruitment and Development, where a current listing of administrative vacancies will be maintained.
2. Transfer means a lateral move within the same pay grade/level or responsibility from one building/school location to another.
3. The District will compile a list of such transfer requests by building/school location requested.
4. If a position becomes available, individuals who have applied for transfer to such positions/locations will be considered according to the procedures established at the local school. Properly submitted transfer requests will be considered and accepted or rejected before the position is determined to be available to candidates for promotion, reassignment or initial employment. The Superintendent retains the discretion, when it is in the best interest of the involved school(s), to remove individuals from the transfer request list. Any individual removed from the transfer list will be notified.
5. If all transfer requests are rejected by the school, the Superintendent will submit a list of qualified candidates for consideration for the vacancy.
6. Only candidates who have successfully completed the administrative screening process, who hold appropriate valid certification, and who are recommended by the Superintendent/designee are eligible for consideration for administrative positions.
7. Candidates include persons currently holding positions at one school level but who desire and indicate an interest in consideration for reassignment to another school level, qualified persons seeking promotion from within the District, and persons seeking initial employment from outside the District.
8. All local school administrator transfers, reassignments and employment decisions must be made in accordance with the employment requirements of KERA, including the requirement for “consultation” with site-based councils, and any site-based, council-adopted policy governing employment.
9. In the case of an overstaff situation, the Superintendent reserves the right to place necessary staff.

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# PRINCIPAL SELECTION PROCEDURES

The Jefferson County Public Schools believes that the selection of quality building principals is critical to the success of every school's instructional program. To that end, we have developed a comprehensive recruitment and selection process designed to closely scrutinize applicants to determine how they compare to our "Principal Profile" which describes the characteristics necessary to be a successful JCPS principal.

Principal selection, as a result of the Kentucky Education Reform Act (KERA), is a process of shared decision making. KERA empowers the Superintendent of Schools to screen candidates and determine who will be recommended for consideration by school councils. School councils determine, from those recommended by the Superintendent, who will be their building principal. The intent of the selection procedures is to insure that, through this shared decision-making process, only the very best candidates will be selected to fill the important leadership role of building principal.

## I. APPLICATION

Each year, for a period of sixty (60) days, the District will advertise state-wide and, if necessary, nationally anticipated vacant building principal positions. This posting period will normally begin in December. Candidates are strongly encouraged to make application during the initial sixty (60) day posting period to insure that all of the procedures required herein are completed. Although applications will be accepted throughout the year, they will not be acted upon unless all procedures have been completed. Briefing sessions will be conducted to explain the screening and selection process.

Once a specific school is identified as having a vacancy, the Superintendent will first consider the placement of any overstaffed/excess principals (Overstaffed/excess principals may be a result of building closures, principals returning from State Distinguished Educator assignments, etc.). If there are no surplus principals to place, the specific school vacancy will be advertised state-wide for a period of one week.

Unless an applicant withdraws, an application accepted after the beginning of the December posting period will remain active for consideration for vacancies for building principal for the remainder of that school year and through the subsequent school year. For an application to remain active for the subsequent year(s), applicants must notify the Human Resources Department, in writing, of their desire to activate their file.

Each applicant is required to submit a letter of interest, valid Kentucky certification, current resume, and the names and addresses of six (6) references. Two references must be from supervisors of the applicant's work, including the current supervisor. Applicants meeting this requirement will be invited to complete the Portfolio Entry and the Screening Procedures outlined in II and III below.

[For assistance with Kentucky certification contact: Office of Teacher Education and Certification, 1024 Capital Center Dr., Frankfort, KY 40601. Tele: 502-573-4606.]

## II. PORTFOLIO ENTRIES:

(Completed off-site and submitted in writing)

### Literacy and Mathematics

The District has pledged to the community that by the year 2000, no students will score at the lowest level (Novice) in reading, writing, or mathematics on the state tests. As principal, your instructional-leadership functions assume that you know best practices in literacy (reading and writing) and mathematics; observe regularly in classrooms; affirm best practices as you witness them; and provide guidance to teachers so that they might move toward best practices.

For your school's staff, provide a written explanation of the school's commitment to supporting high levels of student learning in literacy and mathematics. First identify the level of school (elementary, middle, or high school), and then describe what might be included in best practices for **literacy and mathematics**. Embed your ideas in a description of a classroom, and include details of the following:

- Grade/ages of students; course at secondary level
- Physical setting of the classroom; details of the learning environment; typical student-grouping pattern(s)
- Type(s) of student work; type(s) of teacher behavior
- Classroom assessment practices

### Essay on Change

Please write a brief essay that addresses the subject, "My Experience with Change." The essay should describe two personal efforts to change a policy, practice or program, etc. — one considered successful and one considered unsuccessful. Explain what you learned from each experience.

### Responses to Four Questions

1. Today's electronic environment offers new challenges and opportunities for educators as they prepare students for the 21st century. What factors do you consider important in planning and implementing an exemplary program to prepare students to use technology?
2. How will you respond to people who advocate for voucher plans, charter schools, and privatization as alternatives to traditional public schools?
3. If you were to accept an offer to become a principal in the Jefferson County Public School District, briefly describe what you would do to prepare for the opening of school.
4. Describe considerations you would make and a process you would use to fill a teaching vacancy.

Please submit your portfolio and two copies of the contents. You will want to keep an original of your portfolio, since what you submit will be kept on file in the JCPS Human Resources Department.

### III. SCREENING PROCEDURES

Applicants for principal holding the appropriate certification and who have completed the procedures found in Sections I and II above will be invited to individual interviews with the **Deputy to Superintendent Community Development and Governmental Relations**, the **General Counsel**, the **Executive Director Human Resources**, the **Executive Director Information Technology** and the appropriate grade level **Assistant Superintendent(s)**. Candidates who have previously been interviewed by these administrators may be reinterviewed at the option of each administrator and by invitation only.

- Applicants will be invited to a problem-solving exercise dealing with instruction, employee supervision, student-related problems, classroom teacher observation, teacher conferencing, exceptional child education and consolidated planning. This activity will be completed in approximately four hours. Applicants who have established scores are not required to repeat this exercise but may if they choose.
- Applicants are required to produce a writing sample. The writing assessment takes approximately one hour. Applicants who have established a writing score at a previous time may use that score or establish a new score. The latest writing score will be used.
- Applicants are required to demonstrate competency in using a personal computer to do word processing, database, spreadsheet applications and information retrieval. Each applicant may choose either a Macintosh or Compaq that will be provided by the District. Applicants who have established a score are not required to repeat this exercise but may if they choose.

- Attendance records of Jefferson County Public School employees will be considered by determining the average number of sick days used in the best four of the last five attendance years.

### IV. SUPERINTENDENT RECOMMENDED CANDIDATES FOR SCHOOL COUNCIL CONSIDERATION

School councils must fill a vacancy for principal from a list of applicants recommended by the Superintendent. If a school council is not satisfied with the applicants for principal, it may ask for and receive additional applicants, as long as qualified applicants are available. The criteria which is used to determine who is a "qualified applicant" is different for a principal vacancy versus a non-principal vacancy. **The criteria used to determine the qualified applicants for a principal vacancy include:**

1. **Proper certification for the position**
2. **Clear criminal record**
3. **Meet objective criteria set forth in local Board Policy**
4. **Superintendent's recommendation**

**An applicant who fails to meet all of the criteria (#1-#4 above) cannot be considered to be a qualified applicant for a principal vacancy and cannot be considered by the school council or employed by the Superintendent as such.**

Portfolio entries, screening data, references, prior work record and the results of inter-views with the Cabinet-level administrators will be the criteria, referenced in #3 above, to be considered, per Board Policy GCD, to identify candidates to be considered for the Superintendent's recommendation.





# RE-EMPLOYMENT AFTER RETIREMENT UNDER COUNTY EMPLOYEES RETIREMENT SYSTEM (CERS)

Classified employees in positions that do not require at least a bachelor's degree are covered by CERS. These employees may be re-employed after retirement by the Jefferson County Public Schools as allowed under 105 KAR 1:230.

After being retired *at least one calendar month*, retired CERS individuals may return to work with the District *in a different* job that is covered by CERS. For example, an employee could retire as a secretary and, after one calendar month, accept a food service position. The employee would continue to receive the CERS pension and contribute to a second CERS account from the new position. **The employee must have a month-long break in service or the retirement will be voided** and will be treated as if he/she never ceased to contribute.

Employees who are 65 years of age or older can retire and return to work in any position, including the same one he/she retired from, after being retired one calendar month. The employee will continue to receive the pension and will contribute to a second account. If the employee is less than 65 years of age, he/she cannot return to employment in the same position, or one with the same principle duties for a period of six months. If this should occur prior to the six-month period, the pension will be stopped during the reemployment for up to six months from the initial retirement date. The employee would be required to contribute to a second retirement account that would not be combined with the previous account.

Part-time positions that average 80 or more hours per month are considered full-time for purposes of CERS retirement only.

If the employee returns to work with the District, he/she must notify the retirement office and submit copies of the job descriptions for the previous position and the position in which he/she has been re-employed.

Before retiring with the intention of taking another job with the District, the employee should check directly with CERS to determine what impact it might have on his/her pension.

**Employees who retire and are re-employed will be paid at step 5 of the salary grade for which they are re-employed.**

**Re-employment under these procedures requires the specific approval of the superintendent prior to any discussion with the employee or offer of employment.**

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# INVESTIGATION OF PERSONNEL RELATED ISSUES

Both Compliance and Investigations and Security and Investigations have responsibility for investigating allegations of inappropriate conduct or activities involving students and staff. These procedures are provided to delineate responsibilities for these investigations.

## **CHILD PROTECTIVE SERVICES AND DISTRICT INVESTIGATIONS**

The principal must contact CPS prior to notifying the staff person of a student related allegation and must afford the CPS representative the opportunity to be present for the interview with the staff person. CPS must be contacted prior to beginning any investigation.

A CPS investigator should come to the school within a 24-hour period to interview the victim. After the investigator interviews the victim and witnesses, it is permissible for the principal to collect written statements of the incident. The CPS investigator will contact the investigation office to arrange a time to interview the staff person. The staff person has a right to a union representative and is responsible for contacting that individual. The union representative should contact the Compliance and Investigations office to coordinate the meeting time and location. At such time, the staff member will be interviewed.

## **STAFF CASES**

The principal or designee is responsible for the initial investigation when a report is received alleging inappropriate behavior on the part of a staff member towards a student. If the findings substantiate the allegation, there is no need to involve the investigators assigned to Compliance and Investigations. The principal should inform the parent of the finding and reach a resolution at the school level. Employee Relations should be contacted if disciplinary action is contemplated.

When the investigation does not support the allegation and the parent/guardian demands further investigation, the Compliance and Investigations should be contacted for further investigation.

Prior to beginning any investigation, the staff person should be notified that he/she has a right to a union representative. It is the responsibility of the staff person to contact the union representative. In cases involving both Compliance and Investigations and Security and Investigations, the union representative will call the secretary of the investigation office to arrange the date, time, and location for those involved to meet and to conduct the interview with the staff person against whom allegations have been lodged.

## **SECURITY AND INVESTIGATIONS UNIT**

Security and Investigations may investigate serious incidents involving students or staff. Crimes such as assault, theft, harassment, terroristic threatening, etc. may be investigated. Such incidents should be reported to Security and Investigations and local police when the school needs to report a crime.

Security and Investigations also investigates incidents where a student victimizes a staff person. Security and Investigations will assist staff and parents in filing petitions in Juvenile Court and filing warrants in the dispute and mediation office located in the Hall of Justice.

Security and Investigations should be contacted when incidents as described occur and court adjudication is inevitable. If local school personnel can resolve the situation, there is no need to seek further investigation.