

# **PADUCAH PUBLIC SCHOOLS**

**2023-2024  
Certified Employee Handbook**

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

# Table of Contents

Table of Contents	i
Introduction	1
<b>WELCOME</b>	<b>1</b>
<b>DISTRICT VISION</b>	<b>1</b>
<b>DISTRICT MISSION</b>	<b>1</b>
<b>FUTURE POLICY CHANGES</b>	<b>1</b>
General Terms of Employment	1
<b>EQUAL OPPORTUNITY EMPLOYMENT</b>	<b>1</b>
<b>HARASSMENT/DISCRIMINATION/TITLE IX SEXUAL HARASSMENT</b>	<b>2</b>
<b>HIRING</b>	<b>3</b>
<b>CRIMINAL BACKGROUND CHECK AND TESTING</b>	<b>3</b>
<b>MEDICAL EXAMINATION</b>	<b>4</b>
<b>CERTIFICATION AND RECORDS</b>	<b>4</b>
<b>TRANSFER OF TENURE</b>	<b>4</b>
<b>JOB RESPONSIBILITIES</b>	<b>5</b>
<b>TRANSFER</b>	<b>5</b>
<b>PROMOTION</b>	<b>5</b>
<b>SUSPENSION</b>	<b>6</b>
<b>SANCTIONS</b>	<b>6</b>
<b>HOURS OF DUTY</b>	<b>6</b>
<b>JOB SUPERVISION</b>	<b>7</b>
<b>SOLICITATION</b>	<b>7</b>
<b>CONFIDENTIALITY</b>	<b>7</b>
<b>INFORMATION SECURITY BREACH</b>	<b>8</b>
<b>SUPERVISION RESPONSIBILITIES</b>	<b>8</b>
<b>STAFF MEETINGS</b>	<b>8</b>
<b>BULLYING/HAZING</b>	<b>8</b>
Benefits and Leave	10
<b>INSURANCE</b>	<b>10</b>
<b>COMPENSATION/SALARIES</b>	<b>10</b>
<b>SALARY DEDUCTIONS</b>	<b>12</b>
<b>REDUCTION IN SALARY AND RESPONSIBILITY</b>	<b>12</b>
<b>CAFETERIA PLAN</b>	<b>13</b>
<b>EXPENSE REIMBURSEMENT</b>	<b>13</b>
<b>HOLIDAYS AND VACATIONS</b>	<b>13</b>
<b>LEAVE POLICIES</b>	<b>14</b>
<b>PERSONAL LEAVE</b>	<b>15</b>
<b>SICK LEAVE</b>	<b>15</b>

<b>SICK LEAVE DONATION PROGRAM</b>	<b>16</b>
<b>SICK LEAVE BANK</b>	<b>16</b>
<b>FAMILY AND MEDICAL LEAVE</b>	<b>17</b>
<b>FML BASIC LEAVE ENTITLEMENT</b>	<b>19</b>
<b>QUARANTINE LEAVE</b>	<b>20</b>
<b>MATERNITY LEAVE</b>	<b>20</b>
<b>EXTENDED DISABILITY LEAVE</b>	<b>20</b>
<b>EDUCATIONAL LEAVE</b>	<b>21</b>
<b>BEREAVEMENT LEAVE</b>	<b>21</b>
<b>JURY LEAVE</b>	<b>22</b>
<b>MILITARY/DISASTER SERVICES LEAVE</b>	<b>22</b>
<b>Personnel Management</b>	<b>23</b>
<b>EMPLOYEE DISCIPLINE</b>	<b>23</b>
<b>EMPLOYEE SEPARATION</b>	<b>23</b>
<b>REDUCTION IN FORCE</b>	<b>23</b>
<b>NON-RENEWAL</b>	<b>23</b>
<b>EVALUATIONS</b>	<b>23</b>
<b>PROFESSIONAL DEVELOPMENT</b>	<b>24</b>
<b>DISTRICT TRAINING</b>	<b>24</b>
<b>PROFESSIONAL MEETINGS</b>	<b>24</b>
<b>INSTRUCTIONAL LEADERS' TRAINING</b>	<b>24</b>
<b>PROFESSIONAL ORGANIZATIONS</b>	<b>25</b>
<b>PERSONNEL RECORDS</b>	<b>25</b>
<b>RETENTION OF RECORDINGS</b>	<b>25</b>
<b>RETIREMENT</b>	<b>25</b>
<b>Employee Conduct</b>	<b>27</b>
<b>ABSENTEEISM/TARDINESS AND SUBSTITUTES</b>	<b>27</b>
<b>DISRUPTING THE EDUCATIONAL PROCESS</b>	<b>27</b>
<b>PREVIEWING STUDENT MATERIALS</b>	<b>28</b>
<b>CONTROVERSIAL ISSUES</b>	<b>28</b>
<b>DRUG-FREE/ALCOHOL-FREE SCHOOLS</b>	<b>28</b>
<b>FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)</b>	
<b>DRUG AND ALCOHOL CLEARINGHOUSE FOR CDL/CLP</b>	
<b>OPERATORS</b>	<b>29</b>
<b>WEAPONS</b>	<b>29</b>
<b>TOBACCO, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR</b>	
<b>PRODUCT</b>	<b>29</b>
<b>USE OF SCHOOL PROPERTY</b>	<b>30</b>
<b>USE OF PERSONAL CELL PHONES/TELECOMMUNICATION</b>	
<b>DEVICES</b>	<b>30</b>
<b>ACCESS TO ELECTRONIC MEDIA/ACCEPTABLE USE</b>	<b>30</b>
<b>OUTSIDE EMPLOYMENT AND ACTIVITIES</b>	<b>30</b>

<b>POLITICAL ACTIVITIES</b>	<b>31</b>
<b>EMPLOYEE RELIGIOUS EXPRESSION</b>	<b>31</b>
<b>CONFLICT OF INTEREST</b>	<b>31</b>
<b>HEALTH, SAFETY AND SECURITY</b>	<b>32</b>
<b>AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)</b>	<b>33</b>
<b>ASSAULTS AND THREATS OF VIOLENCE</b>	<b>33</b>
<b>CHILD ABUSE</b>	<b>33</b>
<b>USE OF PHYSICAL RESTRAINT AND SECLUSION</b>	<b>34</b>
<b>CIVILITY AND COURTESY</b>	<b>34</b>
<b>GRIEVANCES/COMMUNICATIONS</b>	<b>35</b>
<b>VOLUNTEERS</b>	<b>35</b>
<b>CODE OF ETHICS FOR CERTIFIED SCHOOL PERSONNEL</b>	<b>37</b>
<b>REQUIRED REPORTS</b>	<b>39</b>
<b>ACKNOWLEDGEMENT FORM</b>	<b>42</b>

# Introduction

## Welcome

### *Welcome to Paducah Independent Schools.*

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

Because this handbook is a general source of information, it is not intended to be, and should not be interpreted as, a contract. It is **not** an all-encompassing document and may not cover every possible situation or unusual circumstance. If a conflict exists between information in this handbook and Board policy or administrative procedures, the policies and procedures govern. It is the employee's responsibility to refer to the actual policies and/or administrative procedures for further information. Complete copies of those documents are available at the Central Office. Policies and procedures also are available online via the District's web site or through this Internet address: <http://policy.ksba.org/p01>. Any employee is free to review official policies and procedures and is expected to be familiar with those related to his/her job responsibilities. Employees and students who fail to comply with Board policies may be subject to disciplinary action. **Policy 01.5**

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

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

## District Vision

To know each and every student by name and need.

## District Mission

To inspire all students to achieve excellence, explore opportunities, and realize their full potential with the goal of preparing each and every student to be college or career ready upon graduation.

## Future Policy Changes

Although every effort will be made to update the handbook on a timely basis, the Paducah Board of Education reserves the right, and has the sole discretion, to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as may be required by contractual agreements and law. The District reserves the right, and has the sole discretion, to modify or change any portion of this handbook at any time.

## Section

# 1

## General Terms of Employment

### Equal Opportunity Employment

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

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

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

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

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

## Harassment/Discrimination/Title IX Sexual Harassment

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

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator.

Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/discrimination.

No employee will be subject to any form of reprisal or retaliation for having made a good-faith complaint under this policy. For complete information concerning the District's position prohibiting harassment/discrimination, assistance in reporting and responding to alleged incidents, and examples of prohibited behaviors, employees should refer to the District's policies and related procedures. **03.162**

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

**Title IX Coordinator (TIXC): Amie Tooley**

Office Address: P. O. Box 2550

Office Email: [amie.tooley@paducah.kyschools.us](mailto:amie.tooley@paducah.kyschools.us)

Office Phone: 270-444-5600

**504 Coordinator: Sarah Anthony**

Office Address: P. O. Box 2550

Office Email: [sarah.anthony@pducuh.kyschools.us](mailto:sarah.anthony@pducuh.kyschools.us)

Office Phone: 270-444-5600



## GENERAL TERMS OF EMPLOYMENT

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

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

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

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html)

**07.1**

## Hiring

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

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

For further information on hiring, refer to policy **03.11**

## Criminal Background Check and Testing

Employees and student teachers assigned within the District shall undergo records checks (at a rate determined by the Paducah Public Schools) and testing as required by applicable statutes and regulations.

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

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.11**

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

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

## **Medical Examination**

All newly employed certified personnel, including substitute teachers, shall present documentation in the form of a medical examination performed by a designated licensed physician, physician assistant (PA), or advanced registered nurse practitioner or by a licensed medical practitioner of the employee's choice. Through appropriate personnel documents, such as handbooks and/or job applications, employees shall be notified as to who will pay for medical examinations required for initial employment. Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted. **03.111**

## **Certification and Records**

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

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position.

It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times. **03.112**

## **Transfer of Tenure**

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

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

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

## Job Responsibilities

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

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

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

## Assignment

The assignment of all certified personnel shall be made by the Superintendent. **03.131**

## Transfer

Certified employees may request transfer or reassignment for the following year by submitting a written request to the on-site administrator by March 15. Those who desire a change for personal reasons may merely cite "personal reasons" on their request.

When transfer of certified personnel is necessary and all other factors are equal, volunteers shall be considered first.

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380. **03.1311**

## Promotion

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under provisions of KRS 160.380.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position. **03.1312**

## **Suspension**

### **PENDING TERMINATION ACTION**

The Superintendent may suspend a certified employee without pay pending final action to terminate the contract if the character of the charges warrant such action. If a tribunal hearing is requested and the decision of the tribunal is against termination of the contract, the suspended teacher shall be paid full salary for the period of such suspension, except that the Board may appeal the tribunal's decision to the circuit court.

### **SANCTIONS**

The Superintendent may suspend a teacher without pay as a disciplinary measure in accordance with KRS 161.790

### **TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION**

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need for an investigation of alleged employee actions necessary to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action; however, suspension with pay shall not exceed ten (10) working days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

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

### **DEMOTION**

In accordance with statutory provisions, the demotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent. **03.1313**

## **Hours of Duty**

Certified employees shall be prompt in attendance and shall remain on duty as specified by school policy or their immediate supervisor.

No certified employee shall leave his/her job assignment during duty hours without the express approval of his/her immediate supervisor.

### **ADDITIONAL HOURS**

Certified employees may be required to perform additional duties as directed by school policy or assigned by their immediate supervisor. **03.1332**

## Job Supervision

Supervision shall be provided for all certified employees. Employees shall be informed as to whom their immediate supervisor is and to whom they will be responsible. **Policy 03.132**

All employees are expected to use sound judgment in the performance of their duties and take reasonable and commonly accepted measures to protect the health, safety, and well-being of others as well as District property. **03.133**

Each employee shall be provided a job description, which shall delineate all essential functions and the general duties and responsibilities of the position including, but not limited to, achievement of professional goals identified to enhance student achievement and to help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups. Job descriptions shall not be considered all-inclusive descriptions of the job but shall indicate the general parameters of the duties and responsibilities of the position. The immediate supervisor may, as needed, assign other reasonable duties to the employee. **03.132**

Reasonable accommodation shall be provided each qualifying employee with a disability to comply with the requirements of law and regulation. **03.133**

## Solicitation

Unless authorized by the Superintendent, or the Superintendent's designee, sales representatives, agents, or other solicitors shall not solicit or contact pupils, teachers, or other employees during the school day. **Policy 03.1323**

## Confidentiality

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

### *Access to be Limited*

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

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

## **Information Security Breach**

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

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

## **Supervision Responsibilities**

While at school or during school-related or school-sponsored activities, students must be under the supervision of a qualified adult at all times. All District employees are required to assist in providing appropriate supervision and correction of students. **09.221**

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

The Student Discipline Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. **3.162/09.422/ 09.42811**

## **Staff Meetings**

Teachers shall attend all faculty meetings unless prevented by personal illness or specifically excused by the Superintendent or the Principal. **03.1335**

## **Bullying/Hazing**

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

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

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

1. Violate federal or state criminal law;

## GENERAL TERMS OF EMPLOYMENT

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

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

## Section

# 2

## Benefits and Leave

### Insurance

The Board shall provide unemployment insurance, workers' compensation and liability insurance for all certified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.

#### WORKERS' COMPENSATION

Employees who qualify for workers' compensation benefits following an assault and injury, while performing assigned duties, should refer to **Policy 03.123**.

Employees who qualify for Workers' Compensation may be offered the opportunity to participate in an Early Return to Work Program. Transition employment need not be in the same job classification or location, but must comply with the treating physician's restrictions and amendments until the participating employee achieves maximum medical recovery. **03.124**

### Compensation/Salaries

The Board shall annually establish salary schedules and employee benefits for all certified personnel.

#### COBRA

At the time of initial employment an employee shall be given the first COBRA notification. Second notification and continuation of benefits shall be contingent upon the employee's notifying the district of a qualifying event. **03.12**

#### SINGLE-SALARY BASIS

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

#### EXTENDED EMPLOYMENT

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.



**EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION**

The Board shall annually establish a schedule of compensation for extra services. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2,000 for the life of the certificate.

**RANK AND EXPERIENCE**

The rank and experience of certified personnel shall be determined at time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank shall be determined twice during any given school year on September 15 and February 15.

To assist with the budgeting process, candidates for National Board certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

**EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

**PAYROLL DISTRIBUTION**

Checks will be issued according to a schedule approved annually by the Board.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, health examinations, and verifications of experience prior to beginning work.

**NOTICE OF SALARY**

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15<sup>th</sup>, whichever comes first, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

**PAYROLL DEDUCTIONS**

The Board shall approve all payroll deductions as specified by KRS 161.158 and **03.1211**.

## **Salary Deductions**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Payroll tax;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
5. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

### **OPTIONAL DEDUCTIONS**

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved hospitalization or income protection program. (Deductions will be made for only one (1) hospitalization or income protection plan.);
2. Board approved life insurance program;
3. Board approved credit union;
4. State approved deferred compensation plan;
5. United Way; and
6. State designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans.

The Board grants the Superintendent the authority to approve authorization for a maximum of ten (10) optional payroll deductions if one (1) of the following conditions apply: (1) A minimum of two hundred dollars (\$200) per month is authorized to a single firm by a single employee; or (2) five (5) or more employees participate in payroll deductions to a single firm. **03.1211**

## **Reduction in Salary and Responsibility**

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

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

## **Cafeteria Plan**

Certified personnel shall be eligible to participate in a cafeteria plan of benefits.

The Superintendent shall develop and make available to employees a list of benefits and procedures consistent with the regulations as listed in 26 C.F.R, Part I, 1.125.1. This listing, or any amendments thereto, shall be subject to review and final approval by the Board. **03.1213**

## **Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. The Board will be responsible only for actual expenses. Allowable expenses include mileage, gasoline used for Board vehicles, tolls and parking fees, car rental, fares charged for travel on common carriers (plane, bus, etc.), food (as authorized by policy and/or procedure), and lodging. Itemized receipts must accompany requests for reimbursement.

No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by the proper receipts.

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

## **Holidays and Vacations**

All certified employees shall be paid for four (4) holidays which shall be designated in the official school calendar. These are part of the school year required by state law.

Certified administrative employees who are employed on a twelve-month basis may also observe as holidays: Martin Luther King Jr. Day, Juneteenth, Independence Day, Memorial Day (if school is not in session), and Christmas Eve (if it falls on a week day).

### **VACATIONS**

Based on length of service to the District, certified personnel employed on a twelve-month basis shall be entitled to annual vacation days as scheduled with the approval of the Superintendent.

<u>Length of Service</u>	<u>Number of Days Annually</u>
<u>0-2 years</u>	<u>5 days</u>
<u>3-5 years</u>	<u>10 days</u>
<u>6-8 years</u>	<u>15 days</u>
<u>Starting 9 years or more</u>	<u>20 days</u>

Time off during Christmas vacation and spring vacation shall be counted as part of the certified employee's vacation. Vacation time for any school year must be taken during that year or prior to June 30 of the following year. **03.122**

## **Leave Policies**

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

Following is general information regarding several types of leave available to employees. Please note that in many cases a written request, submitted for approval before leave begins, is required.

In all cases of absence, employees shall notify the person in charge of substitute teachers before the opening of school or the night before, if possible. Substitute teachers shall be engaged from the official substitute list approved by the Superintendent.

Employees on leave, including those on professional leave serving in charter schools, covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system.

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

## **Unpaid Leave**

When employees must be absent for purposes not covered by other leave policies, the Board will consider their requests for short-term leave of absence without pay provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. The Board shall consider such leaves for periods of time not exceeding five (5) days.

Under procedures developed by the Superintendent, employees shall submit their request for short-term leave without pay in writing to the Superintendent at least one (1) week prior to the next scheduled Board meeting preceding the date of the requested leave. The request shall include a statement of the reasons why the leave is being requested and the date(s) of the requested leave period. The Superintendent shall inform the applicant of the status of the request for leave as soon as practicable following determination by the Board. **03.123**

## **Personal Leave**

Full-time certified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest 1/2 day. Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

The employee's immediate supervisor must approve the leave date, but no reasons shall be required for the leave. Employees taking personal leave must file a personal statement on their return to work stating that the leave was personal in nature. Other limitations are set out in Policy. **03.1231**

Full-time employees may accumulate personal leave to five (5) days. Accumulated personal leave beyond five (5) days will be transferred and credited to the employee's sick leave account. **03.1231**

## **Sick Leave**

Full-time certified employees shall be entitled to ten (10) days of sick leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted.

### **STATEMENT**

Upon return to work, a certified employee claiming sick leave must file a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill. **03.1232**

## **Sick Leave Donation Program**

Certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in statute.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

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

## **Sick Leave Bank**

The Board shall provide an opportunity for all certified employees to voluntarily participate in a sick leave bank program. The sick leave bank shall refer to an aggregation of leave days contributed by employees for use by the members of the employee group who have exhausted all sick leave and other available paid leave days.

Sick leave bank days will be accounted for by the Business Office, and information about the contributions, use and records of bank days will be kept in an account maintained by the District.

### **ENROLLMENT**

To become a member of the sick leave bank, an employee must enroll during open enrollment each year anytime from the opening of school through September 30. The employee shall complete a sick leave bank contribution form authorizing the Business Office to deduct not more than two (2) days from the employee's accrued sick leave. The days deducted shall be applied to the District's sick leave bank.

### **APPLICATION FOR USE**

Employees shall submit their applications for use of sick leave bank days to the president of the certified employee association head of the sick leave bank committee.

**QUALIFYING CONDITIONS**

1. Only employees who have contributed to the sick leave bank shall be eligible for sick leave bank usage.
2. The applying employee must have had three days unpaid leave before requesting bank days.
3. The requesting employee may ask for one-half of the total number of days the individual had accumulated at the start of the current school year. [i.e., For ten (10) accumulated days, the person could request a maximum of five (5) days.]
4. The sick leave committee may grant up to five (5) additional days to any requesting employee at the committee's discretion.
5. The applicant's condition must be of a serious medical nature and conditions such as normal illness, childbirth or other naturally occurring events will not qualify.

**APPEALS**

The decision regarding all matters of sick leave awards rests with the committee and the decision of the committee cannot be appealed. **03.12321**

**Family and Medical Leave**

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

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law; or
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job.
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and

## BENEFITS AND LEAVE

5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

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

Paid leave used under this policy will be subtracted from the twelve (12) workweeks to which the employee is entitled. Employees should contact their immediate supervisor as soon as they know they will need to use Family and Medical Leave. **03.12322**

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



## **FML Basic Leave Entitlement**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Quarantine Leave**

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

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

## **Maternity Leave**

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in **Policy 03.123**.

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with **Board Policy 03.12322/03.12323**

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

## **Extended Disability Leave**

This policy shall be applied in a manner consistent with **Policy 03.113** and the Americans with Disabilities Act (ADA), when those provisions are applicable.

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

The Superintendent may require the employee to secure a licensed physician's verification of disability. **03.1234**

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

## **Educational Leave**

On written request of a teacher or the Superintendent, the Board may grant leave (without pay) for one (1) year for educational or professional purposes. An additional year may be granted by the Board. Leave may be granted for full-time attendance at universities or other training or professional activities approved by the Board when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave also may be granted to an employee to serve as a professional consultant or to perform critical government services. Leave will not be granted for part-time educational activities.

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

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

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

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

## **Bereavement Leave**

Bereavement leave is intended to provide employees an opportunity to attend to the responsibilities associated with the funeral and to provide them a period of time for mourning.

Certified employees shall be entitled to five (5) days of bereavement leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized bereavement leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized bereavement leave days equivalent to their normal working day.

If the bereavement leave as defined herein is inadequate to attend to the business associated with deaths in the family, employees may use their accumulated sick leave as approved by their supervisor.

Bereavement leave days not taken during the school year shall not accumulate. **03.1236**

## **Jury Leave**

Any employee who serves on a jury in a duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay (except expense monies), for the period of his/her actual jury service.

### **NOTICE**

Persons who will be absent from work to serve on juries must give advance notice to their immediate supervisors. **03.1237**

## **Military/Disaster Services Leave**

Military leave will be granted to certified personnel under the provisions and conditions specified in law.

The employee is responsible for notifying his/her immediate supervisor as soon as s/he is notified of an impending military-related absence.

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

## **Section**

# **3**

## **Personnel Management**

### **Employee Discipline**

Termination and nonrenewal of contracts are the responsibility of the Superintendent **03.17**

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with KRS 161.780.

### **Employee Separation**

An employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information. **03.17**

### **Reduction in Force**

When, by reasons noted in KRS 161.800,<sup>1</sup> it becomes necessary to reduce the number of certified personnel the Superintendent shall do so in compliance with statute. **03.171**

### **Non-renewal**

Non-renewal of limited contracts of certified personnel shall be made in compliance with the requirements of KRS 161.750. **03.17**

### **Evaluations**

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

Administrators, including the Superintendent, and non-tenured teachers shall be evaluated at least once annually. Tenured teachers shall be evaluated at least once every three (3) years.

## **APPEAL PANEL**

The District shall establish a panel to hear appeals from summative evaluations as required by law.  
**03.18**

## **Professional Development**

The Board provides an efficient, systematic and high-quality, personalized, and evidence-based professional development (PD) program. Unless an employee is granted leave, failure to complete and document required professional development during the academic year will result in a reduction in salary and may be reflected in the employee's evaluation.**03.19**

## **District Training**

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

## **Professional Meetings**

Professional meeting shall refer to any meeting that is not included in the school/District professional development plan and that relates to the condition, improvement and/or operation of the schools or any meeting held by a professional education organization, which specifically addresses job efficiency, safety or performance.

Unless the Superintendent grants an exemption, employees who are to be absent from their regular duties to serve in a professional capacity shall reimburse the Board for the cost of obtaining a substitute. **03.1911**

## **Instructional Leaders' Training**

Instructional leaders, as defined by the Educational Professional Standards Board (EPSB), shall participate in a continuing intensive training program designed especially for instructional leaders.

### **REQUIRED HOURS**

Each school year an instructional leader shall complete no less than twenty-one (21) participant hours in an intensive training program approved by the Kentucky Board of Education. As required by Kentucky Administrative Regulation, the District shall report the name of any instructional leader who fails to complete the required twenty-one (21) hours of training.

## **PROBATION**

Failure to participate in the required training shall result in a one-year probation. Those instructional leaders who fail to complete the training hours for the prior year and the current year during the probationary period shall have their administrative certificates revoked by the Education Professional Standards Board. **03.1912**

## **Professional Organizations**

Membership in professional organizations is an individual professional matter, and the choice should be made independently by the individual employee. **03.192**

## **Personnel Records**

One (1) master personnel file, documenting employment history and including information maintained in electronic format, shall be maintained for each employee. This file shall be maintained in the Central Office and shall be under the custody of the Superintendent or the Superintendent's designee. This file may be inspected by the employee.

The Superintendent shall develop procedures to ensure the security of the files.

The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. These folders may contain:

1. Items used as reference and not forwarded to the master personnel file in the Central Office,
2. The employee's evaluation and other school-related correspondence to or from the employee, and
3. Other informational items that may or may not be maintained in the Central Office master personnel file. **03.15**

## **Retention of Recordings**

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

## **Retirement**

Retirement means retirement as determined by the Kentucky Teachers' Retirement System guidelines.

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement

## PERSONNEL MANAGEMENT

Retirement benefits shall be solely a matter of contract between the employee and the Kentucky Teachers' Retirement System and shall not be the responsibility of the Board except that the Board shall deduct and send to the Teachers' Retirement System, in the manner prescribed, those amounts required under law.

The Board shall compensate certified employees at the time of retirement, or their estate, for each unused sick day, based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days. Accumulated sick leave shall include any unused personal leave days credited to the employee's account on the effective date of retirement.

The District shall provide compensation for unused sick leave days when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the Kentucky Teachers' Retirement System. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

In order for retiring employees to participate in the sick leave payout program at the rate specified for the current year, they must submit their notice of resignation for retirement purposes to the Superintendent by December 1 or seven (7) months prior to their retirement date. The rate of compensation shall be thirty percent (30%) of the employee's daily rate. For employees hired July 1, 2018, or after the rate of compensation shall be based upon the following schedule:

Years of Service	Percentage of the employee's daily rate
End of 1st – 2nd	0%
End of 3rd	10%
End of 4th	20%
End of 5th+	30%

03.175



## **Section**

# **4**

## **Employee Conduct**

### **Absenteeism/Tardiness and Substitutes**

Employees are expected to notify their immediate supervisor when they must be tardy or absent. Staff in positions requiring substitutes must contact their immediate supervisor or the Central Office designee as soon as possible to request a substitute for the day.

### **Disrupting the Educational Process**

Any employee who participates in or encourages activities that disrupt the educational process, whether on school property or at school-sponsored events and activities, may be subject to disciplinary action, including termination of contract.

For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that threatens the health, safety, or welfare of others;
2. Conduct that may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
5. Conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, **Board Policy 09.422** and/or **Board Policy 03.162** which address harassment/discrimination allegations. **03.1325**

**Previewing Student Materials**

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

**Controversial Issues**

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

**Drug-Free/Alcohol-Free Schools**

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

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by federal regulation.
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

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

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

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

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

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

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

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

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

## **Weapons**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited. Except for School Resource Officers (SROs) as provided in KRS 158.4414, and authorized law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, the Board prohibits carrying concealed weapons on school property.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

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

## **Tobacco, Alternative Nicotine Product, or Vapor Product**

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

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

## **Use of School Property**

Employees are responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Employees shall immediately report to their immediate supervisor any property that is damaged, lost, stolen, or vandalized.

No employee shall perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities.

An employee shall not use any District facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

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

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted. **.3.1321**

## **Use of Personal Cell Phones/Telecommunication Devices**

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

For exceptions, see Board Policy **03.13214**.

## **Access to Electronic Media/Acceptable Use**

The Board supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner. **08.2323**

## **Outside Employment and Activities**

Certified employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned school duties and obligations.

Employees shall not perform any duties related to an outside job during their regular working hours.

**EXCEPTION**

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties. **Policy 03.1331**

**Political Activities**

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

1. Encouraging students to adopt or support a particular political position, party, or candidate; or
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

"Political positions" shall not be defined to include communications approved by the Superintendent to be distributed to parents or the community concerning District needs or proposed actions by the Board. Examples of such communications may include, but not be limited to, those addressing designation of attendance zones/areas and District facility and financial needs.

**SCHOOL BOARD ELECTIONS**

In addition, KRS 161.164 prohibits employees from taking part in the management of any political campaign for school board. **03.1324**

**Employee Religious Expression**

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

**Conflict of Interest**

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after his appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.

No administrator or other employee shall solicit for personal financial remuneration from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through use of confidential information gained in the course of or by reason of their position of employment with the District.

**EXCEPTION**

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

**GRATUITIES AND KICKBACKS**

Employees are prohibited from soliciting, demanding, accepting or agreeing to accept from another person gratuities, kickbacks, or offers of employment in connection with the following: any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal therefore. **03.1721**

**Health, Safety and Security**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

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

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

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

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

For additional information on the District's plans for Hazard Communication, Plan and Bloodborne Pathogen Control Plan, Lockout/Tagout, Personal Protective Equipment (PPE) and Asbestos Management, contact your immediate supervisor or see the District's *Policy Manual* and related procedures. **03.14/05.4**

## **Automated External Defibrillators (AEDs)**

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

## **Assaults and Threats of Violence**

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

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

## **Child Abuse**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral report to a local law enforcement agency, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030.

After making that oral report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee.

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

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

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District to conduct an independent investigation of the allegations. **09.227**

## **Use of Physical Restraint and Seclusion**

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

## **Civility and Courtesy**

The Paducah Independent Board of Education and its administrators feel that common civility and courtesy is an important concept that all students and adults should practice while participating in school-related activities. The failure to practice civility and courtesy are common causes for altercations, fights and verbal abuse between students and between adults.

The Board understands that most citizens will practice courtesy and civil behavior while a guest in our schools. And this policy and these guidelines have been adopted to assure that all citizens will feel safe and will wish to visit Paducah Public Schools. The following expected behavior guidelines are adopted to assure courtesy and civil behavior from all participants during all school-related activities including athletics, plays and other co- and extra-curricular activities.

- All employees of Paducah Public Schools are to be treated with respect and courtesy by students and adults.
- All employees of Paducah Public Schools are to treat parents, students, visitors and staff with respect and courtesy.
- No verbal abuse or threatening behavior will be tolerated by employees of Paducah Public Schools whether from students or community members.
- No student or community member will be verbally or physically abused by a Paducah Public School staff member.
- All entry into school classrooms, areas of a school building or school grounds must be approved by the Principal's office.
- No employee of Paducah Public Schools is to be insulted or demeaned in any manner while performing duties as a school employee.
- Paducah Public School employees are to practice common courtesy and civility at all times, and are to be congenial and helpful to parents, citizens and community members.



Behavior such as listed and other forms of human interaction that could be considered uncivil or discourteous will be treated in the following manner:

- The person practicing discourtesy or uncivil behavior will be asked to stop his/her abuse.
- If the person practicing discourtesy or uncivil behavior refuses to stop, the administrator in charge is to call security or the police and have the person removed from the school facility.
- If a student or employee is practicing discourtesy or uncivil behavior, the staff member or teacher observing the behavior is to place the employee or student into normal disciplinary due process and procedures by reporting the behavior to the Principal or to the director responsible for the employee.
- In all cases, the school employee attempting to secure civil behavior from another adult and failing to secure cooperation is to request assistance from school security or the police, and the employee is not to confront the adult practicing discourtesy or uncivil behavior. **Policy 10.21**

## **Grievances/Communications**

Certified employees shall follow the Board-approved grievance procedures which shall include, but not be limited to, the opportunity for grievances to be addressed and resolved at each level of the chain of command from the point of origin, time limitations for the filing and appeal of a grievance, and procedures for the orderly review and appeal of each individual grievance.

Grievances are individual in nature and must be brought by the individual grievant.

The Board shall take action only on those grievances that fall within the authority of the Board.

The Board will hear grievances only after unsuccessful resolution by the employee's supervisors.

The Board will not hear any grievance concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.

The Board shall not hear grievances concerning simple disagreement or dissatisfaction with a personnel action. **Policy 03.16**

*Harassment/Discrimination allegations shall be governed by Board policy 03.162.*

## **Volunteers**

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs.

## **EMPLOYEE CONDUCT**

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff. **03.6**

# Code of Ethics for Certified School Personnel

SOURCE: 16 KAR 1:020

## **Section 1.** Certified personnel in the Commonwealth:

- (1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession:

### **(a) To students:**

1. Shall provide students with professional education services in a nondiscriminatory manner and in consonance with accepted best practice known to the educator;
2. Shall respect the constitutional rights of all students;
3. Shall take reasonable measures to protect the health, safety, and emotional well-being of students;
4. Shall not use professional relationships or authority with students for personal advantage;
5. Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
6. Shall not knowingly make false or malicious statements about students or colleagues;
7. Shall refrain from subjecting students to embarrassment or disparagement; and
8. Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.

### **(b) To parents:**

1. Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student;
2. Shall endeavor to understand community cultures and diverse home environments of students;
3. Shall not knowingly distort or misrepresent facts concerning educational issues;

4. Shall distinguish between personal views and the views of the employing educational agency;
5. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others;
6. Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities; and
7. Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

**(c) To the education profession:**

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

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

## Required Reports

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

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

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

- Report potential safety or security hazards to the Principal and notify your supervisor immediately after sustaining a work-related injury or accident. **03.14/05.4**
- Report to the Principal/immediate supervisor or the District's Title IX Coordinator if you, another employee, a student, or a visitor to the school or District is being or has been subjected to harassment or discrimination. **03.162/09.42811**

- Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.221, notification of state officials shall be made as required by law. **03.1621/09.428111**
- If you suspect that financial fraud, impropriety or irregularity has occurred, immediately report those suspicions to Principal or the Superintendent. If the Superintendent is the alleged party, employees should address the complaint to the Board chairperson. **04.41**
- Report to the Principal any student who is missing during or after a fire/tornado/ bomb threat drill or evacuation. **05.41 AP.1/05.42 AP.1/05.43 AP.1**
- When notified of a bomb threat, scan the area noting any items that appear to be out of place, and report same to Principal/designee. **05.43 AP.1**
- If you know or believe that the District's weapon policy has been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required when you know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **05.48**
- District bus drivers taking medication either by prescription or without prescription shall report to their immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities. **06.221**
- District employees who know or have reasonable cause to believe that a student has been the victim of a violation of any felony offense specified in KRS Chapter 508 (assault and related offenses) committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim.

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

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

- If you know or have reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, you shall **immediately** make an oral report to a local law enforcement agency or Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney, and then make a report to the Principal. (See **Child Abuse** section.) **09.227**
- District employees shall report to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board Policy **09.42811**.

In certain cases, employees must do the following:

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

# Acknowledgement Form

2023-2024 School Year

I, \_\_\_\_\_, have received a copy  
*Employee Name*

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

I understand and agree:

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

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

\_\_\_\_\_  
*Employee Name (please print)*

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

\_\_\_\_\_  
*Date*

**Return this signed form to the Central Office.**