

**NORTHERN KENTUCKY
COOPERATIVE FOR
EDUCATIONAL SERVICES**



EMPLOYEE HANDBOOK

Effective: August, 2020

NORTHERN KENTUCKY COOPERATIVE FOR EDUCATIONAL
SERVICES

Employee Handbook

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As required by law, the Northern Kentucky Cooperative for Educational Services does not discriminate on the basis of race, color, national or ethnic origin, age, religion, sex, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

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Introduction

Welcome

Welcome to the Northern Kentucky Cooperative for Educational Services (NKCES).

The purpose of the handbook is to acquaint employees with policies approved by the Board of Directors that govern and affect employment and to outline the benefits available to NKCES employees.

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 may be accessed from the NKCES web site:

<http://nkces.org/>

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 who fail to comply with NKCES policies may be subject to disciplinary action. **01.5**

In this handbook, **bolded policy and procedure codes** indicate related policies and administrative procedures. If an employee has questions, s/he should contact his/her immediate supervisor or the Executive Director.

NKCES Mission

The Mission of Northern Kentucky Cooperative for Educational Services is to strategically leverage the united voice of the superintendents and public schools as we connect, grow and serve the region with vital services as we:

- provide targeted support services for education professionals
- enhance quality learning for students
- model and support innovative instructional leadership practices . . . through a united voice.

Future Policy Changes

Although every effort will be made to update this handbook on a timely basis, the NKCES Board of Directors reserves the right, and has the sole discretion, to change any policy, procedure, benefit, and term of employment without notice, consultation, or publication, except as may be required by contractual agreements and law. The NKCES reserves the right, and has the sole discretion, to modify or change any portion of this handbook at any time.

NKCES Administrative Personnel

Person/Address	Telephone/FAX
Amy Razor, Executive Director 5516 East Alexandria Pike Cold Spring, KY 41076 Amy.Razor@nkces.org	(859) 442-8600 (859) 442-7038
Shelly Cobb 5516 East Alexandria Pike Cold Spring, KY 41076 Shelly.Cobb@nkces.org	(859) 442-8600 (859) 442-7038

Section

1

General Terms of Employment

Equal Opportunity Employment

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

The Northern Kentucky Cooperative for Educational Services is an Equal Opportunity Employer. NKCES does not discriminate on the basis of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions or veteran status, as required by law.

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

If considerations of sex, age or disability have a bona fide relationship to the unique requirements of a particular job or if there are federal or state legal requirements that apply, then sex, age or disability may be taken into account as a bona fide occupational qualification, provided such consideration is consistent with governing law.

If there are questions concerning NKCES compliance with state and federal equal opportunity employment laws, contact the Executive Director at the NKCES office. **03.113/03.212**

Employment Status

At time of employment, personnel status shall be designated as either certified or classified, full-time or part-time. **03.1/03.2**

Harassment/Discrimination/Title IX Sexual Harassment

The NKCES Board of Directors intends that employees have a safe and orderly work environment. Therefore, the Board does not condone and will not tolerate harassment of or discrimination against employees, students, or visitors to NKCES, or any act prohibited by Board policy that disrupts the work place and/or keeps employees from doing their jobs.

GENERAL TERMS OF EMPLOYMENT

Any employee who believes that s/he or any other employee, student, or visitor to NKCES, is being or has been subjected to harassment or discrimination should bring the matter to the attention of his/her immediate supervisor or the Executive Director, who will investigate concerns promptly and confidentially.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with KRS 158.156.

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 NKCES policy prohibiting harassment/ discrimination, assistance in reporting and responding to alleged incidents, and examples of prohibited behaviors, employees should refer to NKCES policy. **03.162/03.262**

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

Title IX Coordinator (TIXC): Amy Razor

Office Address: 5516 East Alexandria Pike, Cold Spring, KY 41076

Office Email: amy.razor@nkces.org

Office Phone: (859) 442-8600

504 Coordinator: Amy Razor

Office Address: 5516 East Alexandria Pike, Cold Spring, KY 41076

Office Email: amy.razor@nkces.org

Office Phone: (859) 442-8600

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 NKCES 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.

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

07.1

Hiring

Except for noncontracted substitute teachers, all personnel are required to sign a written contract with the NKCES. Contracts will be awarded for a maximum period of one (1) year. Contract renewal is dependent on continued or available program funding.

A list of all NKCES job openings is available at the main office and on the NKCES web site:

<https://www.nkces.org/Employment>

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

Criminal Background Check

As part of the initial employment process, all new hires and student teachers assigned to NKCES must have both a state and federal criminal record check by the Administrative Office of the Courts (AOC), a fingerprint police record 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. Additional background checks may be required for child care/daycare positions. NKCES will bear the cost of required checks.

An employee shall report to the Executive Director if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.11/03.21**

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

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

An employee shall report to the Executive Director if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.11/03.21**

Confidentiality

In certain circumstances employees may receive confidential information regarding students' or employees' medical, discipline 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.

Job Responsibilities

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

Salary Deductions

No optional payroll deduction authorized by the Board shall be deducted from an individual employee's salary without a signed request from that employee affirmatively requesting the deduction.

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

Salaries and Payroll Distribution

Payment of employee wages and salaries are issued according to a schedule approved annually by the Board.

NKCES employees will be paid semi-monthly on the 15th and the last day of the month. If payday falls on a weekend, payroll checks and direct deposits are issued the preceding Friday. If payday falls on a holiday, payroll checks and direct deposits are issued the day before. **03.121/03.221**

To authorize direct deposit of payroll, employees shall use the Direct Deposit Form posted on the NKCES web site:

www.nkces.org

Payroll Procedures

NKCES employees are required to submit time sheets reflecting hours worked that have been signed by their supervisor. If a leave day is requested during the time period, the appropriate form must be attached. The following procedures shall apply:

1. Program directors are responsible for verifying, signing and dating the time sheets of each employee they supervise.
2. Time sheets must be submitted to the finance officer no later than five (5) days past the end of the pay period of each month.
3. The finance officer will review time sheets to make sure they are complete and that hours claimed are consistent with assigned work schedules. **04.31 AP.1**

Hours of Duty

For payroll purposes, each work week will be from 12:00 a.m. Sunday until midnight Saturday.

GENERAL TERMS OF EMPLOYMENT

Employees shall be prompt in attendance and shall remain on duty as required by their position responsibilities or their immediate supervisor. Except for emergency situations, specific hours to be worked by each employee shall be designated in writing in advance by the immediate supervisor. Employees should note that school not being in session does not mean that all employees are dismissed from work.

Employees shall not leave their job assignment during duty hours without the express approval of their immediate supervisor.

Each full-time certified employee shall be provided with a duty-free lunch period each day during the regularly scheduled student lunch period per KRS 158.060.

Per KRS 337.255, hourly employees shall be granted a reasonable period for lunch, and such time shall be as close to the middle of an employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences.

Per KRS 337.265, no hourly employee shall be required to work without a rest period of at least ten (10) minutes during each four (4) hours worked. **03.1332/03.2332**

Procedure for Inclement Weather/Other Emergencies

If state or local authorities declare a regional or state-wide emergency, employees should check local television and radio announcements to confirm whether to report for work. If possible, a message providing direction will be posted on the NKCES web site.

Overtime

Hourly employees shall not work overtime hours beyond a forty (40)-hour workweek without prior written authorization of their immediate supervisor. **03.221**

Section

2

Benefits and Leaves

Travel Expense Reimbursement

NKCES personnel are reimbursed for travel that is required as part of their duties or for work-related activities approved in advance by the Executive Director/designee. **03.125/03.225**

Complete information is contained in administrative procedure **04.311 AP.11**.

Holidays

Full-time employees are paid for annual holidays designated in the NKCES work calendar by the Executive Director on the following basis:

DAYS EMPLOYED	PAID HOLIDAYS	HOLIDAYS
120-187	4	Labor Day Thanksgiving Day Christmas Day New Year's Day
188-220	5	Memorial Day
221-240	6	July 4 th

Employees on paid leave of absence at the time of an official NKCES holiday shall receive pay for that holiday. Employees on unpaid leave of absence shall not be paid for the holiday. **03.122/03.222**

Vacations

Each 12-month employee (240 day contract) earns annual leave with pay at the following rate:

<u>Years of Service</u>	<u>Annual Leave Days</u>
1-9	1 leave day per month; maximum of 10 per year
10+	1¼ leave days per month; maximum of 15 per year

An employee must have worked more than half of the work days in a month to qualify for annual leave.

Employees earn annual leave only when they are working or are on authorized leave with pay. Annual leave may be accumulated and carried forward from one fiscal year to the next, not to exceed 20 days, which must be used within the next fiscal year. However, part-time employees are not permitted to carry forward annual leave from one calendar year to the next.

All annual leave must be approved and scheduled by the Executive Director. **03.122/03.222**

Leave Policies

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

Employees are required to report all leave days to the payroll department, with all leaves involving two (2) or more consecutive days to be reported in the following manner:

1. Directly reported to the immediate supervisor with advance notice given; and reported directly to payroll by the immediate supervisor; or
2. Reported in writing to payroll.

Failure to report in the required manner may result in loss of pay and benefits.

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

Employees on extended leave who plan to return the next fiscal year must notify the Executive Director/designee in writing of their intention to return to work by April 1.

For complete information regarding leaves of absence, refer to the *NKCES Policy Manual*. **03.123/03.223**

Personal Leave

Full-time employees are entitled to one (1) day of personal leave with pay each year. Personal leave must be taken in no less than ½ day increments (rounded to the nearest ½ or whole day).

An employee's supervisor must approve the leave date, but no reasons will be required for the leave. The request shall be submitted to the supervisor at least three (3) days prior to the date for which leave is requested. Employees taking personal leave may be required, at the Executive Director's request, to file a personal affidavit on their return to work stating that the leave was personal in nature.

Personal leave shall not be granted on the last working day prior to, or the first working day following, a holiday.

Personal leave days not taken during the year shall accumulate to a maximum of five (5) days. **03.1231/03.2231**

Sick Leave

Full-time employees earn sick leave at the rate of one (1) working day for every full month of contracted employment. Sick leave must be taken in no less than ½ day increments (rounded to the nearest ½ or whole day).

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

Sick leave may be taken for the following reasons:

- Personal illness, including illness or temporary disabilities arising from pregnancy.
- Illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.
- Adoption of a child or children (may use up to 30 days of sick leave immediately following adoption).

Upon return to work, an employee claiming sick leave may be required, at the Executive Director's request, to file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill. However, after two (2) consecutive days of illness, a doctor's statement shall be required.

TRANSFER OF SICK LEAVE

Employees coming to the NKCES from a Kentucky school district, Kentucky Public college or university, or from the Kentucky Department of Education shall transfer accumulated sick leave to their NKCES account. **03.1232/03.2232**

See Policy **03.175** for information about reimbursement for unused sick leave at retirement.

Sick Leave Donation Program

Employees who have accumulated more than fifteen (15) days of sick leave may request to donate sick leave days to another employee authorized to receive the donation as set out in Board Policy. Employees may not disrupt the workplace while asking for donations.

Applications to donate sick leave should be returned to Human Resources. Any sick leave that remains unused or is not needed by the recipient shall be returned to the employee who donated the sick leave. **03.1232/03.2232**

Family and Medical Leave

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the NKCES 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:

Family and medical leave shall be granted to eligible employees for the following reasons:

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

Unused family and medical leave shall not accumulate from year to year. Paid leave used during the period of family and medical leave shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Employees should contact their immediate supervisor as soon as they know they will need to use Family and Medical Leave. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice is required as soon as the need becomes known. **03.12322/03.22322**

Maternity Leave

Employees may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child.

Employees eligible for family and medical leave are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

The parent of a newborn or an employee who adopts a child may also request an unpaid leave of absence not to exceed the remainder of the fiscal year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year. **03.1233/03.2233**

Extended Disability Leave

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

The Executive Director may require an employee to secure a licensed physician's verification of disability. **03.1234/03.2234**

Educational Leave

Upon written request and recommendation of the Executive Director, the Board may grant certified personnel leave (without pay) not to exceed two (2) consecutive years for the purpose of obtaining additional training to enhance professional skills.

Leave may be granted for full-time attendance at universities or other training 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 NKCES. Leave shall not be granted for part-time educational activities or to persons holding full-time employment during the period of leave.

Written application for educational leave must be made at least sixty (60) days before the beginning of the fiscal year. **03.1235**

Emergency Leave

Full-time employees shall not be granted emergency leave with pay in excess of three (3) days per year. In addition, full time employees shall be entitled to two (2) days of emergency leave for each death in the immediate family. Emergency leave must be taken in no less than ½ day increments (rounded to the nearest ½ or whole day).

Approved reasons for taking emergency leave include: bereavement, personal disasters, hazardous travel conditions, legal/court appearances and others as approved by the Executive Director/designee.

Consistent with provision set out in policy, personnel may also use up to three (3) sick leave days per year for emergency leave.

Employees taking emergency leave may be required, at the Executive Director's request, to file a personal affidavit upon their return to work stating the specific reasons for their absence.

Unused emergency leave days will not accumulate from year to year. **03.1236/03.2236**

Jury Leave

Any employee who serves on a jury in local, state or federal court will be granted paid leave (minus any jury pay, excluding expense reimbursement) for the period of her/his jury service. Leave must be taken in no less than ½ day increments (rounded to the nearest ½ or whole day).

Employees who will be absent from work to serve on a jury must notify their immediate supervisor in advance. **03.1237/03.2237**

Military/Disaster Services Leave

Military leave is granted under the provisions and conditions specified in law. As soon as they are notified of an upcoming military-related absence, employees are responsible for notifying their immediate supervisor.

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

Legislative Leave

Upon written request, certified personnel shall be granted a leave of absence, without pay, to serve as a member of the legislature. Legislative leave must be taken in no less than ½ day increments (rounded to the nearest ½ or whole day).

The Board may require certified personnel to take a leave of absence, without pay, while campaigning for legislative positions. **03.1239**

Insurance

The Board provides unemployment insurance, workers' compensation and liability insurance for all employees. In addition, full-time employees shall be provided with single coverage hospitalization insurance. **03.124/03.224**

Workers' Compensation Payments

Use of sick leave days by employees claiming workers' compensation income benefits shall be determined in accordance with Board Policy. **03.1241/03.2241**

Personnel Management

Section

3

Transfer

Employees who wish to request a voluntary transfer should contact their immediate supervisor for assistance. **03.1311/03.2311**

Promotion

When a new position or vacancy occurs, all qualified employees, except for those on probationary status, may apply for the position.

The Executive Director may promote an employee into a vacant or new position without advertising the position or vacancy if such action is in the best interest of the Cooperative. **03.1312/03.2312**

Confidentiality of 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 Executive Director's office and shall be under the custody of the Executive Director or the designee. This file may be inspected by the employee.

Employees shall adhere to procedures developed by the Executive Director to ensure the security of confidential records.

An employee must receive written authorization from the local District Superintendent to have access to or to utilize any school-related information, school system records, or data from a local school system. Employees may only access student record information in which they have a legitimate educational interest. **03.15/03.25**

No NKCES employee shall provide to any outside group or individual a list of students, teachers, or other employees for solicitation or other purposes without prior authorization by the Executive Director or the Executive Director's designee. **03.1323/03.2323**

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 NKCES shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner. **01.61**

Health and Safety

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees should report to their immediate supervisor conditions they believe to be unsafe.

For information on the NKCES plans that comply with state and federal law, employees should contact their immediate supervisor or refer to the NKCES *Policy Manual*. **03.14/03.24**

Employees are expected to follow policy in intervening and reporting to their supervisor those situations that endanger the safety of staff members or visitors to NKCES. Such instances shall include, but are not limited to, bullying or hazing and harassment/discrimination of staff, students or visitors by any party. **03.162/03.262**

Workplace Threats and Violence

Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on NKCES property will not be tolerated. Violations of this policy will lead to disciplinary action, which may include dismissal, arrest, and prosecution.

NKCES personnel must notify the Executive Director of the following:

- Any threat that they have witnessed, received, or have been told that another person has witnessed or received.
- Any behavior they have witnessed that they regard as threatening or violent, when that behavior is job-related, could be carried out on a NKCES controlled site, or is connected to NKCES employment.

Employees are responsible for making a report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If a Human Resources representative is not available, personnel should report the threat to their immediate supervisor or another member of the management team. **09.425**

Domestic/Dating Violence Reporting and Education

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse. **03.13253/03.23253/09.425**

Employee Discipline/Resignation

Termination and nonrenewal of contracts are the responsibility of the Executive Director. **03.17/03.27**

Classified employees may be subject to the following disciplinary actions by the Executive Director, to include, but not be limited to:

- Documented verbal warning or reprimand by the Executive Director/designee
- Written warning or reprimand by the Executive Director/designee
- Probation imposed by the Executive Director/designee
- Reassignment (temporary or permanent) by the Executive Director
- Public reprimand by the Executive Director
- Suspension without pay by the Executive Director
- Nonrenewal by the Executive Director
- Dismissal (termination of contract) by the Executive Director

An employee may be relieved from duty for the remainder of the work day by the immediate supervisor, pending action by the Executive Director, when drugs, alcohol, and/or the safety of employees or others are involved.

The primary reasons an employee may be subject to personnel action are listed in policy.

RESIGNATION

Employees are expected to give written notice of their intent to resign. Such notice should be delivered to the Program Director or Executive Director in advance of the date of resignation as follows:

Certified staff – twenty (20) working days

Non-certified staff – ten (10) working days

Failure to give the required notice may result in forfeiture of NKCES paid benefits, including accrued vacation, and ineligibility for re-employment.

Before the effective date of a resignation, the employee must arrange for an exit interview.
03.17/03.27

Reduction in Force

When, by reasons noted in KRS 161.800, it becomes necessary to reduce the number of certified personnel, the Executive Director shall do so in compliance with the statute. **03.171**

When a reduction of force of classified staff is necessary, the Executive Director shall, within each job classification affected, reduce classified employees on the basis of seniority and qualifications with those employees who have less than four (4) years of continuous active service being reduced first. The Executive Director shall provide written notification to employees affected at least thirty (30) calendar days prior to the effective date of the action. **03.271**

Nonrenewal

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

Nonrenewal of contracts for classified personnel shall be made in compliance with the requirements of KRS 161.011, with written notice being mailed or provided to the employee by the Executive Director no later than May 15. **03.2711**

Conflict of Interests

Employees with decision-making authority over the financial position of NKCES shall not 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 appointment, in supplying any goods, services, property or merchandise for which Cooperative funds are expended. In addition, such employees shall not receive, directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which NKCES funds are expended.

Unless prior arrangements are made with the Executive Director, any device, publication or any other item to be copyrighted that was developed during the employee's paid time shall be NKCES 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 NKCES. **03.1721/03.2721**

Suspension

The Executive Director may suspend an employee, with or without pay, as authorized by Board Policy.

An employee who is suspended shall receive a written explanation of the reason for the suspension.

Consultation between the employee, his/her immediate supervisor or program director, and the Executive Director must occur before the employee is reinstated. **03.173/03.27**

Retirement

Retirement means retirement from the Teachers' Retirement System (TRS) or Kentucky Retirement System (CERS).

Employees planning to retire should give the Executive Director notice as far in advance as possible, but not less than twenty (20) working days prior to retirement.

Provided an individual has been employed by NKCES for at least four (4) consecutive years prior to retirement, NKCES shall compensate eligible employees only upon initial retirement for 30% of unused sick leave days accumulated as an employee of NKCES at the rate of their current daily salary. For personnel who begin employment in a position covered by TRS or CERS 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. **03.175/03.273**

Evaluations

Evaluations will be completed annually not later than April 1 of each year and shall form the basis for the recommendation of the Executive Director regarding continued employment of the individual with the Cooperative.

The evaluation will be based upon:

1. The effectiveness of the employee's performance as defined by the job description.
2. Special strengths, such as personal and professional characteristics.
3. The judgment of the employee's immediate supervisor and, where appropriate, the LEA superintendent or designee.

The evaluation shall be discussed with the staff member after input from the immediate supervisor.

Employees who disagree with their evaluation may submit to the Executive Director a written request for an appeal hearing before the Board of Directors, provided the request is submitted within ten (10) calendar days of the evaluation. **03.18/03.28**

Training/In-Service

The Executive Director may grant absence with pay and reimbursement to personnel to attend approved professional meetings. Employees shall submit their requests in writing.

Applications for leave to attend other professional meetings without pay and reimbursement may be made to the Executive Director who shall consider the request on an individual basis.

The Executive Director shall determine the number of personnel who can attend professional meetings at any one time. Those who attend professional meetings shall be expected to disseminate information gained among their colleagues. **03.19/03.29**

NKCES Training

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

Section

4

Employee Conduct

Absenteeism/Tardiness/Substitutes

Employees are expected to notify their immediate supervisor when they must be tardy or absent. Staff in positions requiring substitutes must contact their immediate supervisor or the Executive Director no later than 5:00 a.m. to request a substitute for the day. **03.123/03.223**

Use of NKCES and Personal 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 NKCES property or facilities.

An employee shall not use any NKCES owned vehicle, building, electronic communication system, equipment, or other property of NKCES for personal use, unless otherwise approved by the Executive Director. These items (including security codes and electronic records, such as E-mail) are property of NKCES and shall be used for job-related purposes.

NKCES-owned telecommunication devices shall be used for authorized NKCES business purposes. Personal use of such equipment is prohibited except for emergency situations and occasional/de minimus use for personal reasons.

Employees who have occasion to drive any NKCES-owned vehicle and/or transport students shall annually provide the Executive Director with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Executive Director prior to driving an NKCES -owned vehicle or transporting students.

Personal property must be transferred when the assigned location of employment is changed; otherwise, all claims to the property shall be relinquished. **03.1321/03.2321**

Use of Personal Cell Phones/Telecommunication Devices

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

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

Acceptable Use of Technology

NKCES supports reasonable access to various information technology formats for staff and students and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use NKCES technology.

Employees are encouraged to use electronic mail and other NKCES technology resources to promote student learning and for purposes directly related to work-related activities.

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

Technology-based materials, activities and communication tools used with students shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

Employees and activity sponsors may set up blogs and other social networking accounts using NKCES resources and following any NKCES guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. For further guidance on use of social networking sites, employees are to refer to NKCES policy. All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct.

Employees and students shall use electronic materials only in accordance with the license agreement under which the electronic materials were purchased or otherwise procured. Electronic materials are defined as computer software, databases, video tapes, compact and laser disks, electronic textbooks or any other copyrighted material distributed in electronic form.

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

Employees shall be subject to appropriate disciplinary action for violating this policy and acceptable use rules and regulations established by NKCES.

Individuals shall reimburse NKCES for repair or replacement of NKCES property lost, stolen, damaged, or vandalized while under their care. Staff members who deface a NKCES web site or otherwise make unauthorized changes to a web site shall be subject to appropriate disciplinary action. **08.2323**

Gifts

Any gift presented to a NKCES employee for the use of the NKCES must have the prior approval of the Executive Director or designee. Any gift so approved and accepted on behalf of the NKCES becomes the property of the Board.

No employees shall receive, directly or indirectly, any gift, reward, or promise of reward in exchange for influence in recommending or procuring the use of any goods, services, property, or merchandise of any kind for which NKCES funds are expended. **03.1322/03.2322**

Political Activities

No NKCES employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. **03.1324/03.2324**

Disrupting the Educational Process

Any employee who participates in or encourages activities that disrupt the orderly administration of NKCES activities or operations may be subject to disciplinary action, including termination.

Behavior that disrupts the educational process includes, but is not limited to:

- Conduct that threatens the health, safety or welfare of others;
- Conduct that may damage public or private property (including the property of staff or visitors);
- Illegal activity;
- Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
- Conduct that disrupts delivery of services, completion of work responsibilities or interferes with the orderly administration of NKCES and NKCES-related activities or NKCES operations. **03.1325/03.2325**

Drug-Free/Alcohol-Free Workplace

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

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that look like a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

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

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

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

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

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

Teachers are subject to random or periodic drug testing following reprimand or discipline for misconduct involving illegal use of controlled substances. **03.13251/03.23251**

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 NKCES 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 NKCES. **03.1327/03.2327**

Grievances/Communications

The Executive Director has put in place specific communication procedures to include, but not be limited to, the opportunity for problems to be addressed and resolved at each level of the chain of command from the point of origin, time limitations for the filing, and the appeal of complaints not satisfactorily resolved, and procedures for the orderly review and appeal of each individual complaint.

Grievances are individual in nature and must be brought by the individual employee. The Board shall not hear grievances concerning personnel actions, unless the issue of the complaint concerns constitutional, statutory, regulatory, or policy application. **03.16/03.26**

Due Process

Employees have the right to required due process in the resolution of a dispute regarding adverse action taken against them. Rights to be afforded employees being disciplined due to poor job performance or for other good cause are set out in Board Policy. **03.161/03.261**

Outside Employment or Activities

Employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned NKCES duties and obligations.

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

Weapons

All persons are prohibited from bringing into the NKCES office any weapon, including firearms or other dangerous instruments as specified in the following excerpts from the Kentucky Penal Code.

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, no person may carry concealed weapons on NKCES property, unless the Executive Director grants an exception to an employee who has a compelling personal safety need. Such exceptions are at the sole discretion of the Executive Director. When an exception has been granted allowing a concealed weapon to be brought into the building during the normal workday, the Executive Director shall notify division directors.

Employees who observe that this policy has been violated should report it to the Executive Director or their immediate supervisor.

Violation of the provisions of this policy by employees shall constitute reason for immediate disciplinary action by the Executive Director, including possible termination. **05.48**

Child Abuse

Any school personnel who knows or has reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make a report to a local law enforcement agency, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney. **09.227**

Required Reports

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

- Within seventy-two (72) hours of the discovery or notification of a security breach, the NKCES 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 Executive Director if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. **03.11/03.21**
- Report to the immediate supervisor damaged, lost, stolen, or vandalized school property or if NKCES property has been used for unauthorized purposes. **03.1321/03.2321**
- If you know or believe that the NKCES' alcohol-free/drug-free policies have been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required if you know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **03.13251/03.23251/09.423**
- Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse. **03.13253/03.23253/09.425**

- Report potential safety or security hazards to the Principal and notify your supervisor immediately after sustaining a work-related injury or accident. **03.14/03.24/05.4**
- Report to the Principal/immediate supervisor or the NKCES' Title IX Coordinator if you, another employee, a student, or a visitor to the school or NKCES is being or has been subjected to harassment or discrimination. **03.162/03.262/09.42811**

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- 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. **03.1621/03.2621/09.428111**
- If you suspect that financial fraud, impropriety or irregularity has occurred, immediately report those suspicions to Principal or the Executive Director. If the Executive Director is the alleged party, employees should address the complaint to the Board President. **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 NKCES' 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**
- NKCES employees who know or have reasonable cause to believe that a student has been the victim of a violation of any felony offense specified in KRS Chapter 508 (assault and related offenses) committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim.

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

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

- Notify the Principal as soon as possible when you use seclusion or physical restraint with a student, but no later than the end of the school day on which it occurs, and document in writing the incident by the end of the next school day. **09.2212**
- If you know or have reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, or a victim of human trafficking, or is a victim of female genital mutilation, you shall **immediately** make a report to a local law enforcement agency or Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney. (See **Child Abuse** section.) **09.227**

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- NKCES 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 NKCES. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board Policy **09.42811**

In certain cases, employees must do the following:

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

Code of Ethics/Certified Personnel

The NKCES Board of Directors requires that certified staff adhere to the following Code of Ethics (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;

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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.

