

Policy Connection

JULY 2016

KSBA on the Web: www.ksba.org

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Editor

Policy Connection is a free quarterly publication provided by the KSBA Policy Service that is sent to all board members, superintendents, and others who request to receive it.

WELCOME TO OUR NEW SUBSCRIBERS!

Online Manual – Lyon County Board of Education

Substitute Teacher Handbook – Menifee County Board of Education

Employee Handbook – Menifee County and Fleming County Boards of Education

eMeeting – Ashland Independent Board of Education, City of Owensboro, Pikeville Elementary School

DATA SECURITY BREACH

Recently enacted 702 KAR 1:170 requires the district to review the Data Security and Breach Notification Best Practice Guide and acknowledge such in a public board meeting prior to August 31 of each year. The guide may be found at <http://education.ky.gov/districts/tech/Pages/Best-Practice.aspx>.

The District shall acknowledge to the Board in a public meeting prior to August 31 of each year, that the District has reviewed the Data Security and Breach Notification Best Practice Guide and implemented best practices that meet the needs of personal information reasonable security in the District.

Policy Reference 01.61

COMPLIANCE WITH FLSA REQUIREMENTS/ OVERTIME

Q: Can districts be responsible for paying overtime to non-exempt employees for checking and responding to email, phone calls, etc., during times outside designated work schedules (evenings, weekends, holidays etc.)?

A: Yes. Wage and hour laws require non-exempt employees to be paid for hours where they are “suffered or permitted to work” and this can include work done outside the designated work schedule. Work done by non-exempt employees via portable electronic devices or otherwise outside normal working hours to “catch up” or for other laudable purposes will in all likelihood still be considered compensable time and will subject the district to payment of overtime for hours spent over forty (40) in a given work week. To help prevent such problems from occurring, accurate records of time worked must be kept and overtime work is generally to be approved in advance by the Superintendent/designee. Inform employees of Policy 03.221 provisions concerning approval for working overtime, and implement provisions accordingly. Even though this will not rule out having to pay overtime in every case, violation of these policy provisions can serve as grounds for disciplinary action that will discourage recurring problems with unauthorized overtime.

Policy Reference 03.221



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MILEAGE RATE UPDATE

If your district reimburses for mileage at the state rate, be advised that the rate per mile effective July 1, through September 30, 2016, is forty-one cents (41¢) per mile. This information can be reviewed quarterly via this link:

<http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>
Policy References 03.125/03.225

UPDATE REMINDER/COMPLETING THE UPDATE CHECKLIST

Spring updates come with a checklist that must be completed and returned to the district's assigned KSBA policy consultant. The checklist includes all update drafts sent, listed by code, and spaces for the district to list other policies/procedures the board chooses to address. Next to each code are blanks and checkboxes to be used to provide approval/review information. A designated staff member will need to put the date the policy was adopted/procedure was reviewed on one blank and the order number for policy adoption, and mark the appropriate

action checkbox using the guide below:

Adopt/Accept as Written—Mark this box if NO changes were made to the draft sent in the update.

Adopt with Modifications—Mark this box if ANY changes were made to the draft sent in the update.

Keep Current—Mark this box if you do not want ANY changes to the policy or procedure you currently have in place.

Rescind—Mark this box if the policy or procedure area is to be removed from your manual.

NOTE: Administrative procedures are the responsibility of the superintendent. Therefore, the board should review (not adopt) procedures in one reading with an opportunity to make comments. The superintendent must sign and date the procedure checklist before it is returned to KSBA.

When a draft is adopted with modifications, be sure to indicate the changes on a copy of the document by highlighting or marking the change by hand and return the revised draft with your checklist. Please do not retype the draft with changes, but merely note the changes by hand or in edit mode. Finally, the superintendent and board chair must sign and date the policy checklist before it is returned to KSBA.

KRS 160.340 requires that board policies be kept up to date by filing annual amendments thereto by August 15.

Your online connection

If you currently receive a paper edition of this newsletter, but would prefer to get it via email ONLY, please send your request to Katrina Kinman (katrina.kinman@ksba.org), along with your school district and position (employee, board member, etc.). We appreciate your helping KSBA save printing and mailing costs.

