

Policy Connection

MARCH 2010

KSBA on the Web: www.ksba.org

Dara Bass, editor

Energy Management Policy

The KSBA Policy Service now offers a new energy management policy, which will be included with the annual update to be sent to districts in May. House Bill 2, enacted in 2008, required every district to join the Kentucky Energy Efficiency Program for Schools (KEEPS) program by Jan. 1 of this year. KEEPS staff will provide assistance to districts in developing an energy management plan. Grants from federal stimulus funds may be available for districts that want to hire an energy manager. Districts that would like to adopt their energy management policy right away may contact their KSBA policy consultant for a draft.

— *Policy/Procedure Reference 05.23*

Title I Complaint Procedure

In February, the Policy Service contacted superintendents about the availability of a separate Title I complaint procedure that is being requested by Title I auditors based on specific requirements of federal law/regulation (per No Child Left Behind). Although we will include a recommended draft in the May procedure update, if your district wants to proceed with getting the proposed new procedure, 08.13451 AP.1, in place immediately, please contact your KSBA policy consultant, who will be glad to assist you.

— *Policy/Procedure Reference 08.13451*

Deadline Changed to May 1 for Allocation Notices to Councils

The Kentucky Board of Education has granted an emergency waiver for this school year that gives boards of education until May 1 to meet the council allocation notification deadlines.

Most board policies refer to the current regulatory deadline of March 1 in policies 02.4331 and 02.4242 and in procedure 04.1 AP.2. KSBA suggests that at its next meeting, your board direct that all current policies or procedures be waived to the extent that they set forth March 1 as the applicable council allocation deadline and substitute the May 1 deadline authorized by the Kentucky Board of Education for the current year.

In planning for the 2010-11 school year, any revisions made to the staffing policy or guidelines for the current school year must be adopted by the local board and submitted to the Council Development and Planning Branch of KDE. Because of the KBE waiver, each district has until May 1 to forward revised policies/guidelines to KDE.

If the May 1 deadline becomes permanent via an amendment to 702 KAR 3:246, drafts to amend your policies and procedures will be included in the annual update for your board, which will be sent to you in late May.

— *Policy/Procedure Reference 02.4242/02.4331*

Revised EEOC Poster - Genetics Now a Protected Area

The federal Equal Employment Opportunity Commission has issued an updated "Equal Opportunity is the Law" poster to reflect new legal requirements effective Nov. 21, 2009, which prohibit discrimination on the basis of genetic information. The poster can be downloaded and printed to post for employee access:

www.eeoc.gov/employers/upload/eeoc_self_print_poster.pdf

As noted on that poster, "Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members." Your board's 2010 policy/procedure update will include drafts that reflect this change.

In addition, districts should update the current standard non-discrimination statement included in handbooks, notices and other documents.

— *Policy/Procedure Reference 03.113/03.212 and 03.162/03.262*

Welcome, New Policy Service Members!

- Administrative Procedure Development - Kenton County and Livingston County boards of education
- Online Manual Service - Robertson County Board of Education
- Employee Handbook Development - Erlanger-Elsmere Independent Board of Education
- eMeeting Service - Henderson County, Jackson Independent, Johnson County, and Ohio County boards of education

Mileage Rate Update

If your district reimburses for mileage at the state rate, be sure to check the state rate per mile on April 1 for any changes. That information can be reviewed quarterly via this link:

<http://finance.ky.gov/NR/rdonlyres/B38C1C8D-C7B2-48F3-AF7E-ABF077A9F1DD/0/MileageRateUpdate.pdf>

— *Policy/Procedure Reference 03.125/03.225*

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Delmar Mahan, Whitley County, President • Tom Blankenship, Lincoln County, President elect • Bill Scott, Executive Director

Register Now - Space May be Limited

KSBA 4th Annual Federal & State Law Update: Impact on Your School District

The following policy-related topics will be addressed at a training set for May 7, 2010 at the Hilton Lexington Downtown:

- 2010 Legislative Session - New Laws
- 504/ADA Update and Office of U. S. Civil Rights Opinions
- Federal and Case Law Updates
- Attorney General Opinions
- 2010 Policy and Procedure Update Preview

To register, click the related link on the KSBA Web site (www.ksba.org). The registration fee is \$200, which includes a hot lunch and beverages. Individuals scheduled to attend the conference, but planning to register on site, should notify Jolene Shearer at jolene.shearer@ksba.org, or 1-800-372-2962, ext. 1107) so she can make sure we have an accurate lunch count.

Employee Handbooks — 2010-11 School Year

All policies of the board are binding on employees of the district . . .

As your district prepares for next school year, keep in mind how policy requirements and other important personnel information will be conveyed to your staff. Because not every employee will read every policy adopted by your board, a paper or electronic copy of a handbook can be a valuable tool for communicating basic policy information. Handbooks also can support training efforts, clarify personnel expectations and help avoid misunderstandings.

KSBA works with 55 districts to keep their handbooks up-to-date. If your district does not belong to the handbook service, we would be happy to help you develop a customized employee handbook and keep it current from year to year. The cost for development is \$1,000, with an annual updating fee of \$250.

Also, the Policy Service is proud to announce a new handbook development service:

KSBA Substitute Teacher Handbook Development
(Includes handbook master in hard copy and/or electronic format)

• Districts currently subscribing to KSBA employee handbook service - \$500

• Districts not currently subscribing to KSBA handbook service - \$800

• Annual update fee starting with next fiscal year - \$125

Contact your district's KSBA policy consultant or Dara Bass at dara.bass@ksba.org for more information.

— Policy/Procedure Reference 01.5

KOSAA Summer Conference

Current and prospective KOSAA members, mark your calendar now! Registration information for the next meeting of the Kentucky Organization of Superintendents' Administrative Assistants will be available on the KSBA Web site in June.

That meeting is set for Friday, July 9 at the Marriott Griffin Gate Resort, beginning at 8:30 a.m. and will include an invitation for your superintendent or other individuals to dine with you at lunch. Our Program Planning Committee has already begun work on an agenda for another exciting and informative program.

Policy Q & A

Q. Are FBI background checks required for substitute teachers and substitute classified workers?

A. KRS 160.380 sections 4 & 5 address this. All new certified hires (this includes certified substitutes) must have a national and state criminal background check unless they were employed by another Kentucky school district in the last six (6) months and had previously had a national and state background check for that employment.

Classified substitutes need only a state background check unless they have not lived in Kentucky for a full 12 months, in which case the superintendent may require they also undergo a national background check.

— Policy/Procedure Reference 03.11/03.21/03.4

Your online connection

If you receive a paper edition of this newsletter, but would prefer to get it only via e-mail, please send your request to Dara Bass (dara.bass@ksba.org), along with your school district and position (employee, board member, etc.). We appreciate your helping KSBA save printing and mailing costs.

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