KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

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SECTION 1

Governance Related Policies
1.2.1  KCTCS Mission Approval Procedures

KCTCS Board of Regents policy and accreditation criteria require that each college’s mission statement be periodically reviewed and approved by the governing board, the KCTCS Board of Regents.

The college mission statement is to be consistent with state statutes, the Council on Postsecondary Education’s strategic agenda, and the KCTCS mission. It shall be clearly defined, published, specific to the institution, and appropriate to an institution of higher education, addressing teaching and learning and, where applicable, research and public service.

A. Mission Statement Approval Process

1. Review of mission statement by college faculty, staff, and administration.
2. Endorsement by local college Board of Directors.
3. Review by Chancellor.
4. Review and approval by the KCTCS President and the KCTCS Board of Regents.

B. KCTCS College Mission Format

The mission statement is traditionally a brief document incorporating some or all of the following information:

- a brief history of the institution (Reference the transfer of the institution to KCTCS governance);
- pertinent descriptive information (Reference the public, comprehensive nature of the college and community and technical college);
- statements expressing essential beliefs, values, or intent of the institution;
- description of the types of students which the institution hopes to attract, often accompanied by statements about the types of occupations or endeavors which graduates will be prepared to undertake;
- delineation of the geographic region for which the institution intends to provide service;
- outline of the major functions of the institution (e.g., general education, developmental education, professional education, student development, continuing education, etc.); and
- general description of the skills, knowledge, experience, and attitudes ideally to be acquired or developed by the institution’s students. (Goals)

The format may reflect two sections – mission of the college and goals of the college in order to support the college’s on-going institutional effective process.
C. Periodic Review

The college mission statement shall be reviewed annually as part of the institutional effectiveness process. It shall be submitted to the KCTCS Board of Regents for approval at least once every three years.

Date Approved by
President, KCTCS

Date(s) of Last Review

Date(s) of Last Revision
(Include all dates in chronological order)

Recommended by
President, KCTCS

(SIGNED)  5-10-07

(SIGNED)  5-10-07

Date

Date
1.3.3.1.1 Board of Directors Model Bylaws  
(for suggested use)

Board of Directors of <Name>  
Kentucky Community and Technical College System

ARTICLE I

1.1 Name. The name of the Board shall be the <Name> College Board of Directors of the Kentucky Community and Technical College System.

1.2 Bylaws. These Bylaws shall govern the conduct of the Board of Directors for <Name> College under the Kentucky Community and Technical College System.

ARTICLE II

2.1 Purpose. Each Board of Directors shall:

a. Recommend one (1) candidate for the college president/chief executive officer from three (3) candidates provided by the President of the Kentucky Community and Technical College System. The President shall have the authority to make the final appointment and shall not be bound by the recommendation from the Board of Directors;

b. Evaluate the college president/chief executive officer and advise the President of the Kentucky Community and Technical College System of his or her performance. The President of the Kentucky Community and Technical College System has final authority for the appointment and termination of the college president/chief executive officer;

c. Approve budget requests for recommendation to the Kentucky Community and Technical College System;

d. Adopt and amend an annual operating budget and submit it through appropriate channels to the Board of Regents of the Kentucky Community and Technical College System for approval as to the compliance with its guidelines; and

e. Approve a strategic plan that is developed in coordination with local employers, civic leaders, campus constituents, and other postsecondary institutions in the region and that is consistent with the strategic agenda of the General Assembly.
ARTICLE III

3.1 Membership. Each Board of Directors shall consist of ten (10) members, as follows: seven (7) members appointed by the Governor; one (1) member shall be a member of the teaching faculty, one (1) member of the staff, and one (1) member shall be a member of the student body.

a. Appointed Members. The seven (7) appointed members shall serve a term set by law pursuant to Section 23 of the Constitution of Kentucky. An appointed member’s term shall be six (6) years.

No citizen member of the Board of Directors shall be a relative of any employee of the college under its jurisdiction. A person who is a member of the Board on July 15, 1998, who is a relative of an employee of the college may finish out the appointed term of office but the member may not be reappointed. As used in this section, "relative" means father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, and daughter-in-law.

b. Faculty Member. The faculty member shall be on the teaching or research faculty of the college. They shall be elected by secret ballot of all full-time faculty members of the college. Faculty members shall serve for terms of three (3) years and until their successors are elected and qualified. Faculty members shall be eligible for reelection, but they shall be ineligible to continue to serve as members of the Boards if they cease to be members of teaching staff of the college. Elections to fill vacancies shall be for the unexpired term in the same manner as provided for original election.

Teaching faculty members are defined as those with faculty or equivalent rank who spend less than fifty percent of their time in administrative responsibilities. For purposes of this section, assignment as division chairperson, program coordinator, counselor, or librarian, shall not exclude one from eligibility to serve as an elected faculty member of the Board.

c. Staff Member. The staff member shall be a classified or mid-management employee who does not hold faculty rank and who does not hold an upper administrative position. The staff member shall be elected by secret ballot of all full-time staff members of the college. Staff members shall serve for terms of three (3) years and until their successors are elected and qualified. Staff members shall be eligible for reelection, but shall be ineligible to continue to serve as members of the Boards if they cease to be members of the staff of the college. An election to fill a vacancy for an unexpired term shall be held in the same manner as an election to an original full term.
d. **Student Member.** The student member shall be elected by secret ballots from the student body of the college to serve a term of one (1) year. The student member shall be a full-time student who maintains permanent residency in the Commonwealth of Kentucky. Membership will be alternated among the college campuses, if applicable. If the student member serving on the college Board of Directors is the president of the student government association and is subsequently elected to serve on the KCTCS Board of Regents as a student regent, the next highest ranking student government officer at the college shall serve in his/her place on the college Board of Directors

### 3.2 Boards Representing More Than One College

The college election eligibility process shall ensure that of the three (3) elected board members defined in section 3.1 above at least one shall be elected from each college.

### 3.3 Compensation.

The members of the Board of Directors shall receive no compensation for their services, but shall be paid for their actual and necessary expenses.

### ARTICLE IV

#### 4.1 Officers of the Board of Directors.

The Officers of the Board of Directors shall consist of a Chair, Vice Chair, a Secretary, and such other officers as it may deem necessary. The Board Chair may appoint an Assistant Secretary as defined below in Section 4.3(d).

#### 4.2 Election and Term.

Officers of the Board shall be elected from the membership at the annual meeting and shall serve one-year terms. In the event a vacancy occurs prior to the end of the term of an officer, the Board shall hold a special election to fill the office for the unexpired portion of the term.

#### 4.3 Duties of Officers.

- **Chair.** The Chair shall preside at all Board and executive committee meetings, shall serve as an ex-officio member of all committees, and shall have such other duties as may be prescribed by the Board.

- **Vice Chair.** In the Chair’s absence, the Vice Chair shall perform all the duties of the Chair and shall have such other duties as may be prescribed by the Board.

- **Secretary.** The Secretary shall maintain minutes of all meetings of the Board, shall attest to all documents required to be signed for the Board, shall issue proper notice of all meetings of the Board, and shall perform such other duties as may be prescribed by the Board.
d. **Assistant Secretary.** The Board Chair may appoint an assistant secretary of the Board, who shall be the president/chief executive officer of the college or his or her designee. Copies of all minutes, papers, and documents of the Board may be certified by the assistant secretary with the same force and effect as though such certification were made by the Secretary of the Board.

**ARTICLE V**

5.1 **Regular Meetings.** The Board shall by order at the first meeting in the Fall of each year provide for a schedule of regular meetings to be held at specified times and places which are convenient to the public. The Fall meeting shall be considered the annual meeting for the Board of Directors and shall occur on the < > day of < > month. All regular meetings shall be held in accordance with applicable open meeting laws of the Commonwealth of Kentucky as set forth in KRS 62.810.

5.2 **Special Meetings.**

a. Upon the written request of a majority of the members of the Board or the president/chief executive officer of the college, the Chair of the Board shall call a special meeting. The special meeting shall be held within twenty (20) days of receipt by the Chair of such a written request. A notice specifying the time, place, and agenda of any special meeting of the Board shall be mailed by the Secretary to each member of the Board at least five (5) days in advance of the meeting date; but, notice of three (3) days may be given by telephone or electronic communication when, in the judgment of the Chair, an emergency exists. Written notice shall also be posted at least twenty-four (24) hours before the meeting in a conspicuous place in the building where the special meeting will take place, and in a conspicuous place in the building which houses the offices of the president/chief executive officer of the college. The notice must also be provided to news media which have requested such notice pursuant to KRS 61.823. All special meetings shall be held in accordance with applicable open meetings laws of the Commonwealth of Kentucky as set forth in KRS 61.805, *et seq.*

b. The Board may transact any or all business that it may transact at a regular meeting, provided that action shall be limited to the items listed on the agenda for the notice of the meeting.

5.3 **Agenda.**

a. **Distribution.** A copy of the agenda for each regular meeting of the Board, including notice of all expiring terms or vacancies in membership of the Board or its committees, and, insofar as is practicable, copies of all reports and other materials to be presented to the regular meeting as a part of the agenda, shall be provided by the Secretary to each member of the Board at
least seven days in advance of the regular meeting. If practicable, a copy of the agenda for each special meeting of the Board with reports and other materials to be presented, shall be provided to each member of the Board at least five days in advance of the special meeting. Notice to members shall be by mail, personal delivery, or facsimile transmission as provided for in KRS 61.823. In no instance shall less than twenty-four (24) hours notice be given.

Pursuant to KRS 61.823, notice of regular and special meetings, to include date, time, and place of the meeting and the agenda, shall be provided to media organizations which have filed a request to receive such notice.

b. **Preparation.** The agenda for a regular or special meeting of the Board shall be prepared by the Secretary with the approval of the Chair. All requests for inclusion of a given item on the agenda of a particular meeting shall be filed, with supporting documents, if any, with the Secretary of the Board.

c. **Additions.** Any committee or member of the Board may request consideration by the Board, at any regular meeting, of any items not on the agenda. Information to be presented to the Board from interested parties who are not members of the Board must be provided to the Secretary at least ten (10) days in advance of the scheduled meeting. The Chair may waive this requirement at his/her discretion.

5.4 **Quorum.** A simple majority of the voting members of the Board shall constitute a quorum for the transaction of business at Board meetings.

5.5 **Power to Vote.** All members of the Board may vote on all matters coming before the Board for consideration, except that the faculty member and the staff member shall not vote on individual faculty and staff compensation matters. No member may vote by proxy. No vote concerning any matter under consideration by the Board, or by a committee of the Board, may be cast in absentia, by mail, telephone, or electronic mail.

5.6 **Rules of Order.** In the event that the governing statutes or these bylaws are not instructive regarding applicable procedures, the Board shall consult *Robert’s Rules of Order* for applicable procedures.

5.7 **Executive Sessions.** All meetings of the Board shall be open to the public unless, consistent with the requirements of KRS 61.810-.815, a meeting is closed to the public by a majority vote of a quorum of the Board in open public session. Any formal action of the Board must be taken in open session.

5.8 **Minutes.**

a. **Duties of the Secretary.** The Secretary shall keep minutes of all meetings of the Board; shall file, index, and preserve all minutes papers and documents
pertaining to the business and proceedings of the Board and shall be the custodian of all records of the Board and instruments of the Board. The Secretary shall be responsible for transcribing the minutes of each meeting within a reasonable time and for providing a copy for each member of the Board.

b. Approval. The minutes shall not be considered official unless and until approved by the Board.

c. Public Record. Pursuant to KRS 61.835, the minutes shall be open to public inspection no later than immediately following the next regularly scheduled meeting of the Board.

5.9 Attendance. Members who are unable to attend at least 75 percent of the regularly scheduled meetings, including meetings of committees to which they are assigned, during a state fiscal year should consider resignation from the Board. No person may attend any meeting of the Board as a substitute for a Board member, and no person, except a regular member of the Board, shall be entitled to vote in determining the action of the Board at any time.

ARTICLE VI

6.1 Committees. The Board shall establish such standing and ad hoc committees as it deems appropriate to discharge its responsibilities. Each committee shall have a written statement of purpose, role, and scope as approved by the Board, and such rules of procedure or policy guidelines that it or the Board, as appropriate, shall approve. Such statements shall be reviewed annually by each committee.

ARTICLE VII

7.1 President/Chief Executive Officer of the College. The president/chief executive officer of each college shall have full authority and discretion regarding the use and management of the budget approved by the Board of Regents for the Kentucky Community and Technical College System.

The president/chief executive officer of the college is responsible for all education and managerial affairs. The president/chief executive officer is responsible for leading the college, hiring all employees, implementing all Kentucky Community and Technical College System Board of Regents policies, keeping the Board informed on appropriate matters and serving as the key spokesperson for the college. The college president/chief executive officer has the authority to execute all documents on behalf of the college and the Board of Directors consistent with Board policies and the best interests of the college.
ARTICLE VIII

8.1 Insurance for Directors and Officers. The governing board of the Kentucky Community and Technical College System is authorized to purchase liability insurance to protect Directors and Officers of the Board. The president/chief executive officer of the college shall provide each Director and Officer a copy of applicable insurance policies covering each Director or Officer in connection with the defense of any action, suit, or proceeding to which the Director or Officer may be made a party by reason of being or having been a Director or Officer.

ARTICLE IX

9.1 Conflict of Interest. A Director shall be considered to have a conflict of interest (1) if such Director has existing or potential financial or other interests that impair or reasonably appear to impair such member’s independent, unbiased judgment in the discharge of his or her responsibilities to the college, or (2) such Director is aware that a family member or any organization in which such Director or family member is an officer, Director, employee, member, partner, trustee, or controlling stockholder, has such existing or potential financial or other interests. For the purposes of this provision, a family member is defined as a spouse, parents, siblings, children, and any other relative if the latter resides in the same household as the Director. All Directors shall disclose to the Board any possible conflict of interest at the earliest practical time. Furthermore, the Director shall not participate in discussions of, and shall abstain from voting on, such matters under consideration by the Board of Directors or its committees. The minutes of such meetings shall reflect that a disclosure was made and that the Director who has a conflict or possible conflict abstained from voting. Any Director who is uncertain whether a conflict of interest may exist in any matter may request that the Board or committee resolve the question in the Director’s absence by majority vote. Each Director shall complete and sign a disclosure statement.

ARTICLE X

10.1 Amendments. Any provision of these bylaws (except those required or governed by the Kentucky Revised Statutes) may be amended or new provisions added by affirmative vote of two-thirds of the quorum of the Board; provided that no amendment or addition may be adopted unless its substance first has been introduced at a preceding regular or special meeting of the Board.
10.2 Suspensions. Any provision of these bylaws (except those required or governed by the Kentucky Revised Statutes) may be suspended at any regular or special meeting of the Board for that meeting by affirmative vote of two-thirds of the quorum of the Board.

Chair, Board of Directors             Date

4-30-99             7-1-00; 2-20-04; 11-21-06             7-1-00; 2-20-04; 11-21-06
Date Approved by Date(s) of Last Review Date(s) of Last Revision
President, KCTCS (Include all dates in chronological order)

(SIGNED)             11-21-06             (SIGNED)             11-21-06
Recommended by Date President, KCTCS Date
Each KCTCS college is expected to have a Faculty governance body as defined in Board Policy 1.4.2 with rules of the Faculty for the college and bylaws of the Faculty for the college. Local rules of the Faculty and bylaws of the Faculty must be consistent with System senate rules and KCTCS policies and procedures.

Copies of the rules of the Faculty and a description of the Faculty’s committee structure shall be made available and a copy filed in the college president’s office. A copy of the bylaws of the Faculty is also to be filed in the Office of the Chancellor.

All local Faculty documents of the Faculty organization shall be approved by the college president and on file in his/her office. Each college president is also expected to have a current copy of the local Faculty documents on file with the Chancellor’s office.

The president of the college and the chief academic officer shall be ex-officio members of the Faculty.

4-30-99
Date Approved by
President, KCTCS

5-18-04
Date(s) of Last Review

5-18-04
Date(s) of Last Revision
(Include all dates in chronological order)

(SIGNED) 5-18-04
Recommended by
Date

(SIGNED) 5-18-04
President, KCTCS

5-18-04
Date
1.5 KCTCS Organizational Structure

1.5.3 System Office Administration

The KCTCS President is responsible for the administration of KCTCS operations through the KCTCS Chancellor, Vice Presidents and other members of the KCTCS President’s Cabinet. The KCTCS President’s Cabinet is responsible for providing leadership and support for:

- Academic Affairs
- Workforce/Economic Development
- Research and Policy Analysis
- Kentucky Fire Commission
- Distance Learning
- Professional Development and Innovation
- Automotive Manufacturing Technical Education Collaborative
- Student Development
- Student Services
- Strategic Enrollment Management
- Financial Aid
- Cultural Diversity
- Advising
- Job Placement and Career Services
- Technology Solutions
- Business Intelligence and Data Warehousing
- Enterprise Systems and End User Support
- Computing and Network Infrastructure
- Library Services
- Information Security
- Development and Alumni Affairs
- Marketing and Communications
- Web/Digital Services
- Governmental Affairs
- KCTCS Foundation, Inc.
- Conference and Event Planning
- Strategic Planning
- Grants and Contracts
- Change and Project Management
- Finance
- Facilities
- Kentucky Board of Emergency Medical Services
- Human Resources
- Legal Services
1.5.4 The KCTCS College Administration

1.5.4.1 Structure of KCTCS Colleges

The basic organizational units of KCTCS are colleges, academic areas and/or divisions, and other administrative units. The individual colleges are the major educational units. The division is the basic unit of the colleges for instruction and college community service in related fields of learning.

The divisional structure of each college shall be developed by the college, approved by the President of the Kentucky Community and Technical College System, and reported to the Board of Regents.

Each of the colleges is headed by a president/ceo, reporting to the KCTCS President. Each of the colleges has a Board of Directors which provides advice to the president/ceo of the college, the KCTCS Chancellor, the President of the Kentucky Community and Technical College System, and the Kentucky Community and Technical College System Board of Regents. The counsel of the local Boards of Directors is sought primarily on matters of two-year occupational programs and local community educational needs. Specific functions of the Board of Directors from the Kentucky Postsecondary Education Improvement Act of 1997 as amended in 2003 include: recommending a candidate for the college president, evaluating the college president, approving budget requests, adopting and amending an annual operating budget, and approving a strategic plan. The faculty of each college is administratively responsible to the college president/ceo of the respective college.

1.5.4.2 Faculty of KCTCS Colleges

Teaching and community service functions are paramount in the KCTCS colleges. High standards of competence and performance are expected in the KCTCS colleges. Faculty at the colleges are expected to remain professionally current for their teaching and service tasks.

KCTCS Board of Regents Policy 2.1 defines the Faculty of a college. Within the limits established by policies and procedures, Rules of the Faculty, and the Rules of the Senate, the Faculty of each college shall determine the educational policies of that college.

1.5.4.3 Divisional Faculties

The faculty of a division shall consist of a division head and the members of the division who are members of the faculty of the college. The divisional faculty has the responsibility, with the approval of the chief academic officer and the president/ceo of the applicable college, for the internal educational policies of the division, in so far as these policies do not conflict with those of other divisions, the Rules of the Faculty of the
1.5.5 Students in the Kentucky Community and Technical College System

The KCTCS colleges attract students with a wide range of backgrounds and abilities. Significant enrollment in KCTCS comes from both part-time and full-time students drawn from high school graduate and adult populations of the communities.

Student goals range from degree seeking to cultural, personal, or professional improvement. KCTCS attempts to meet the needs of a heterogeneous student body by giving particular attention to advising, guidance, and counseling programs.

KCTCS provides developmental/remedial courses for students who need assistance in the basic skills required to be successful in either baccalaureate or associate degree programs.

Many students have goals for educational achievement in programs focused on the development of technical skills and abilities needed in the workforce in the communities in which they live. Many of these goals can be met through enrollment in a technical/occupational, collegiate-based curricula in KCTCS.

Substantial numbers of students in KCTCS are enrolled in lower division courses leading toward a baccalaureate degree. These students’ goals highlight the important transferability initiatives between colleges and universities.

Thousands of students are served annually through community service programs and non-credit seminars and workshops through KCTCS. KCTCS values and continuously strives to maintain an environment that fosters student success.

1.5.6 Positions in the Colleges

1.5.6.1 College President/CEO

The president of a college is the chief executive officer of the college. Under the general direction of the KCTCS President, the president/ceo is charged with general responsibility for the overall administration of the college. It is the president's function to see that the policies and procedures of the Kentucky Community and Technical College System, and the Rules of the Senate are enforced. The president/ceo is an ex officio member of all college committees. Along with the college faculty, the president/ceo is responsible for the development and implementation of an instructional program commensurate with the purposes of a comprehensive community and technical college. The president/ceo is responsible for the curricula of the college, for the quality of instruction given therein, for the assignment of duties to all persons, and for the service
provided by the faculty of the college, individually and as a whole. The president/ceo shall review and finalize the performance evaluations recommended by the chief academic officer or other administrative personnel of the college.

The president/ceo shall be responsible, without delegation, for recommendations on salaries, salary changes, appointments (search/appointment/orientation), reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, promotions, and granting of tenure for members of the college or for ultimate action thereon when such authority has been delegated to the president/ceo by the Chancellor or by the President of the Kentucky Community and Technical College System.

With regard to students, the president/ceo is charged with administering the requirements and procedures of the college concerning the admission, probation, and dismissal of students.

The president/ceo shall be responsible for the preparation of the budget request for the college, for the business and financial operation of the college, either assumed or delegated, and for the maintenance and operation of the physical plant of the college. It is the president's responsibility to relate the college program to the community through relationships with the Board of Directors, through appropriate use of public information media, and by appropriate relationships with community groups and individuals. The president/ceo shall endeavor to further constructive relations between the college and community.

The college president/ceo has ultimate control of the institution’s fund-raising activities.

1.5.6.2 Chief Academic Officer

General responsibilities of the chief academic officer are summarized in official systemwide job specifications. The specific responsibilities of the chief academic officer are determined locally and described in writing in an official job description on file at the college and in the KCTCS System Office. In all colleges, however, the chief academic officer is responsible for the overall operation of the academic unit of the college and, in most instances, assumes the overall responsibilities of the college in the absence of the president/ceo. The chief academic officer is an administrator who may hold faculty status with academic rank and privilege. Working collaboratively with the president/ceo, chief business officer, chief student services officer, chief community and economic officer, division heads, and faculty, the chief academic officer provides leadership in the planning, development, implementation, and evaluation of the instructional units of the college. The chief academic officer is a key collaborator in the college’s strategic planning efforts.

Typically, the chief academic officer reports to the president/ceo of the college who evaluates him/her annually.
General responsibilities may include:

Leadership:
• To provide leadership to the academic unit consistent with the mission of the college.
• To promote academic integrity and create an effective teaching and learning environment.
• To provide leadership in concert with college academic officers and the KCTCS Chancellor to enhance academic initiatives.
• To participate in professional organizations and professional development opportunities.

Communication:
• To maintain effective communication in the academic arena among all units of the local college, Kentucky Community and Technical College System, other educational institutions, and the community at large.
• To maintain open communication channels with the leaders in the academic unit (e.g., convene regular meetings with division heads and other academic personnel).

Faculty:
• To be responsible, with the faculty and division heads, for the recruitment and retention of full-time, part-time, and volunteer faculty, as well as staff personnel supporting the instructional unit.
• To promote the professional development of faculty.
• To be responsible with the president/ceo and division heads for the development of the faculty performance review forms.
• To work with the president/ceo, division head, and academic leadership to facilitate the faculty promotion and tenure process.

Students:
• To facilitate effective academic processes and procedures that foster student success.

Instructional Programs:
• To be responsible for the development, implementation, and evaluation of academic programs.
• To be responsible, with the division heads, for the preparation and evaluation of the schedule of classes.
• To facilitate and participate in the evaluation processes related to academic affairs program and personnel.
• To ensure that institutional effectiveness efforts are implemented throughout the academic affairs unit.
• To identify computer and information technology needed to enhance the academic affairs unit.
• To provide leadership for academic support and academic services as defined by the individual college (support and services may include library, off-campus, extended
campus, learning resource centers, development programs, and community education/community service).

Budget:
• To formulate and implement an annual budget related to the goals and operational needs of the academic affairs unit.
• To provide leadership in the development of grant proposals.

Administrative:
• To provide leadership in strategic academic planning and to prepare institutional reports as requested by internal and external sources.
• To ensure compliance with Kentucky Community and Technical College System and local college policies and procedures.
• To provide leadership in accountability and institutional effectiveness.
• To assume other duties and responsibilities as assigned by the president/ceo.

Qualifications:
• Commitment to the mission of the comprehensive community and technical college.
• Earned doctoral degree from an accredited institution.
• Record of successful experience as an instructor and administrator.
• Experience which demonstrates knowledge and ability to provide visionary leadership.
• Experience or background in curriculum revision and program development.
• Personal and professional integrity.
• Demonstrated ability to work collaboratively with others.
• Commitment to team leadership and ability to work effectively as a member of the leadership team.
• Excellent interpersonal and communication skills.

1.5.6.3 Chief Student Services Officer

General responsibilities of the chief student services officer are summarized in official systemwide job specifications. Under the general direction of the president/ceo, the chief student services officer is the chief administrative officer for the personal and co-curricular development of all students. The specific job responsibilities of the chief student services officer are determined locally and described in writing in an official job description on file at the college and in the KCTCS System Office. The chief student services officer provides knowledgeable and effective leadership to their campus, staff, and students; and works with other members of the college to provide a campus environment that promotes academic achievement, retention, and personal and social growth and development for a diverse and dynamic student population. The chief student services officer is viewed as a major participant, along with the chief academic, business and community and economic development officers, in the decision and information
processes of the college. The chief student services officer is a key collaborator in the college’s strategic planning efforts.

Typically, the chief student services officer reports to the president/ceo of the college who evaluates him/her annually.

General responsibilities may include:

Leadership:
- To provide on-campus leadership in concert with other members of the college’s administrative team.
- To provide input in the formulation and interpretation of federal, state, and system policies affecting student affairs.
- To provide leadership in concert with chief student services officers and KCTCS to enhance student affairs system-wide.
- To facilitate adherence to all policies and procedures under the locus of student affairs.
- To provide leadership in the community (e.g., civic affairs).
- To provide strong leadership for students and student related issues.
- To participate in professional organizations and professional development opportunities.
- To promote academic integrity and create an effective learning environment.

Student Services Staff:
- To provide primary supervision and direction for: financial aid, student recruitment, and orientation, admissions and records, registration, academic and career advising and counseling, student activities and organizations, multi-cultural affairs, and other duties as assigned by the president.
- To promote the professional development of student services personnel.
- To provide guidance to student services tenure track faculty through the development of the performance review forms, and the promotion and tenure process as delineated in the specific criteria for faculty.
- To provide a systematic and constructive process of performance review for all student services personnel.

Program Planning, Implementation, and Evaluation:
- To assess the internal campus and external environment and develop compatible and dynamic programs, services, and activities to meet college and unit goals.
- To implement goals and initiatives by involving appropriate staff members in all phases of the planning process.
- To conduct an ongoing evaluation of all student affairs programs and services to ensure their effectiveness.

Budget and Fiscal Management:
• To match campus resources and the goals and operational needs of student affairs in an environment of fiscal constraints.
• To be an advocate for funding to support student affairs.

Technological Changes in Student Affairs Administration:
• To identify computer and information technology needed to enhance the delivery of student services.

Accountability:
• To apply outcome assessment techniques to monitor the effectiveness of student services provided.

Qualifications:
• Demonstrated commitment to the mission of the comprehensive community and technical college and personalized student services.
• Commitment to institutional advancement and effectiveness strategies.
• Commitment to and ability to implement strategic planning and management (e.g., enrollment, recruitment, and retention).
• Appropriate experience in student affairs.
• Earned masters degree from an accredited institution in higher education, student personnel services, or related area.
• Knowledge and ability to provide visionary leadership.
• Personal and professional integrity.
• Demonstrated ability to develop effective campus and community relationships.
• Program planning and evaluation skills.
• Understanding of legal constraints on practice in student affairs.
• Experience and background in developing programs to support learning in and out of class.
• Effective conflict management skills.
• Commitment to student conduct, advocacy and enforcement.
• Commitment to team leadership.
• Excellent interpersonal and communication skills.

Preference may be given to candidates who demonstrate:
• Five (5) years or more experience in student affairs.
• Completion of an accredited doctoral program in Higher Education, Student Personnel Services, or related area.

1.5.6.4 Chief Business Officer

General responsibilities of the chief business officer are summarized in official systemwide job specifications. The chief business officer is the chief financial officer for budget, accounting, human resources, auxiliary services, facilities/equipment/transportation management, communication infrastructure (i.e., switchboard, ITV, network/computing), mail, access security officer, and safety and
security of the college. The specific responsibilities of the chief business officer are determined locally and described in writing in an official job description on file at the college and in the System Office. This position reports directly to the president/ceo of the college. As chief financial officer, the chief business officer advises faculty and staff on appropriate Kentucky Community and Technical College System business procedures, personnel policies, and insures compliance with affirmative action policies. The chief business officer’s responsibility for safety and security is to insure and promote a safe and secure environment for the campus community by implementing safety mandates in facilities management. The chief business officer is a major participant, along with the president/ceo, chief academic officer, chief student services officer, and chief community and economic development officer in strategic planning, decision and information processes of the college.

Typically, the chief business officer reports to the president/ceo of the college who evaluates him/her annually.

General responsibilities may include:

Leadership:
- To provide on-campus leadership in concert with other members of the college’s administrative team.
- To provide leadership in concert with other chief business officers and the KCTCS Vice President primarily responsible for Finance and Facilities Management to enhance business affairs system-wide.
- To provide leadership in the community (e.g., civic affairs).
- To participate in college strategic planning.
- To promote honesty and integrity in business functions.
- To support decisions made by the college’s administrative and management teams.

Communication:
- To maintain effective communication in the business affairs arena among all units of the local college and Kentucky Community and Technical College System.
- To maintain effective communication with students on fees collections, financial aid disbursement policies and procedures, and other information which affects services to students and fosters student success.

Budget/Accounting:
- To coordinate the local college’s annual budget requests to the System and data entry into the appropriate HRS/FRS system.
- To promote the efficient use of college resources and cost effectiveness within the college.
- To reconcile operating budgets, accounts payables and receivables.
- To provide custody, accountability, receipt and disbursement of restricted and unrestricted funds.
Human Resources:
- To supervise the Human Resource unit to insure compliance with staff personnel policies and affirmative action policies.
- To implement staff training to foster success in their duties and responsibilities.

Facilities:
- To supervise maintenance and operations of college facilities and physical plant.
- To insure and promote a safe and secure environment for the campus community by implementing safety mandates and compliance with state and federal regulations.

Auxiliary Services:
- To supervise and identify auxiliary services to address student and faculty/staff needs.

Safety and Security:
- To identify and correct safety hazards and obstacles in facilities and physical plant.
- To implement safety mandates and insure compliance.
- To serve on college Safety Committee.

Administration:
- To ensure adherence to Kentucky Community and Technical College System business procedures and stewardship of college resources.
- To ensure compliance with Personnel Policies and Affirmative Action mandates in hiring and termination practices.
- To ensure compliance with Kentucky Community and Technical College System policies and procedures.
- To provide guidance to business affairs staff and foster their success in the execution of their duties and responsibilities.
- To implement goals and initiatives in all units under their immediate supervision.
- To identify computer and information technology needed to enhance the delivery of business services.

Qualifications:
- Commitment to the mission of a comprehensive community and technical college and to personalized business services.
- Earned Bachelors Degree from an accredited institution in Business Administration or Accounting.
- Minimum of four (4) years related experience.
- Knowledge and ability to provide visionary leadership.
- Demonstrated ability to work collaboratively with others and demonstrate team spirit.
- Excellent interpersonal and communication skills.
- Program planning and evaluation skills.
- Understanding of legal constraints in practice in business affairs.
- Effective conflict management skills.
- Ability to handle campus issues.
- Personal and professional integrity.
General responsibilities of the chief community and economic development officer are summarized in official systemwide job specifications. The chief community and economic development officer coordinates and directs all aspects of community and economic development, including serving the needs of business and industry with customized training, administering business and industry assessments, the adult education program, continuing education classes, business and industry and industry (BIT) classes, and community education events. The specific responsibilities of the chief community and economic development officer are determined locally and described in writing in an official job description on file at the college and in the System Office. The chief community and economic development officer supervises CED personnel, establishes new programs, acts as a liaison between the college and the community, including community services, and manages the CED budget. The chief community and economic development officer is a participant in strategic planning, decision, and information processes of the college.

The chief community and economic development officer reports to the college president/ceo or his/her designee, who evaluates him/her annually.

General responsibilities may include:

Leadership:
- To provide on-campus leadership in concert with members of the college’s administrative team.
- To provide leadership in concert with other chief community and economic development officers and the Chancellor in the area of community and economic development.
- To provide leadership in the community in the area of community and economic development.
- To participate in college strategic planning.
- To promote honesty and integrity in community and economic development functions.
- To support decisions made by the college’s administrative and management teams.

Communication:
- To work closely with faculty and staff in various departments to establish continuing education and lifelong learning classes and training classes for business and industry.
- To serve on industrial authority boards and local chamber(s) of commerce to establish working relationships with business and industry.
- To maintain effective communication with students on CED information which affects services to students and fosters student success.
Budget/Accounting:
• To establish and conform to CED budget constraints.
• To be responsible for generating revenue and student enrollment which helps determine the amount of state funds awarded to the college.
• To be responsible for overseeing the Adult Education and Family Literacy budget.

Human Resources:
• To supervise CED personnel to insure compliance with personnel policies and affirmative action policies.
• To implement staff training to foster success in their duties and responsibilities.

CED Programming:
• To develop customized training classes for business and industry.
• To be responsible for enrolling students in BIT and continuing education classes as well as generating revenue for the college.
• To be flexible in conducting classes for business and industry, meeting proprietary CE needs of specific groups, and being entrepreneurial in looking for new opportunities.

Safety and Security:
• To ensure workplace offices are maintained in a manner conducive to effective work in a safe atmosphere.

Administration:
• To ensure compliance with appropriate state, Kentucky Community and Technical College System, and college policies and procedures.
• To develop policies and procedures conforming with college and KCTCS policies pertaining to customer service and marketing of CED programs.
• To provide guidance to CED staff and foster their success in the execution of their duties and responsibilities.
• To implement goals and initiatives in the CED area.
• To ensure reports are maintained in CED offices.
• To ensure CED records are maintained in a secure location.
• To insure compliance with personnel policies and affirmative action policies in hiring CED personnel.

Qualifications:
• Commitment to the mission of a comprehensive community and technical college and to flexible, customer-oriented community and economic development services.
• Earned Bachelors Degree from an accredited institution; Masters Degree preferred.
• Minimum of two (2) years related experience.
• Knowledge and ability to provide visionary leadership.
• Demonstrated ability to work collaboratively with faculty and staff as well as business and industry leaders.
• Excellent interpersonal and communication skills.
• CED program planning and evaluation skills.
• Demonstrated ability to supervise others in a teamwork environment.
• Personal and professional integrity.

1.5.6.6 Director of Library Services

General responsibilities of the director of library services are summarized in official systemwide job specifications. Under the general direction of the president/ceo or his/her designee, the director of library services is responsible for the management of library and information services. The director of library services provides leadership to the campus and community and promotes an environment for academic achievement. The director guides the planning, development, implementation, and assessment of library and information services. The director of library services, along with the chief academic officer, division heads, program/area coordinators, and faculty, is a major participant in the college’s strategic planning efforts.

The director of library services reports to the president or his/her designee, who evaluates the director.

• Full-time librarians holding a Master’s or Doctoral Degree in Library and Information Science from an American Library Association accredited program will hold faculty rank.

General responsibilities may include:

Leadership:
• To direct the organization and management of library and information services, and library personnel.
• To promote use of current technologies for information access.
• To provide leadership in concert with college library directors and KCTCS Office of Technology Solutions to enhance library and information services systemwide.
• To participate in professional organizations and professional development opportunities.

Library Planning, Implementation and Evaluation:
• To assess the information needs of the college, relating to academics.
• To implement a plan to provide quality information and information services.
• To assess library services with respect to accreditation standards.
• To collaborate with teaching faculty to develop library and information services to meet curriculum needs.
Standards and Ethics:
- To comply with professional standards and ethics that are in accordance with state regulatory statutes and/or American Library Association (ALA) standards.

Qualifications:
- Master’s or Doctoral Degree in Library and Information Science from an American Library Association accredited program.
- Five (5) years experience in an academic library or closely related field.

1.5.6.7 Division Administration and Leadership

The division head (interchangeably titled chair, assistant/associate dean, or dean) serves as the chief administrator of the division faculty in the development of policies in regard to such matters as the implementation and revision of the division’s programs and courses. The division head assists the chief academic officer in the preparation of the class and teaching schedules for the division. The division head presides over all division meetings, except as the division head may delegate this function, and is an ex-officio member of all division committees. The division head has administrative responsibility for implementing the division’s program within the limits established by the policies and procedures of the Kentucky Community and Technical College System, the policies of the Senate, and the rules and procedures of the college.

Division heads, in conjunction with the college president/CEO, chief academic officer, and/or other designee, shall have duties that may include but are not limited to the following:

1. The appointment of new members of the division, promotions, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments and the granting of tenure, after consultation with the tenured faculty of the division.

2. The periodic evaluation of members of their division by procedures and criteria established by the Kentucky Community and Technical College System, the college itself, and its divisional faculties.

3. The budget request for the division.

4. Other duties as assigned.

In connection with the division head’s major administrative functions, the division head shall seek the advice of members of the division, individually or as groups, or of advisory committees that the division head may appoint (if delegated authority to do so by the college president).
The division head speaks for the division. In the event that the division head feels it necessary to depart from the opinion of the divisional faculty, the division head must communicate the division faculty’s opinion as well as the division head’s recommendation or advice, stating reasons for differing from the division faculty’s opinion, and notify the division faculty of such action.

The division head is appointed by the college president/CEO or designee, in consultation with the chief academic officer and the division faculty, to serve terms based on the local college policy. The policy must be on file at the college and with the KCTCS Chancellor and must include the qualifications of a person to hold the position.

1.5.6.8 Program/Area Coordinator

The program/area coordinator is the coordinating representative of a specific technical program (program coordinator) or a specific discipline area (area coordinator). The specific responsibilities of the program/area coordinator are determined locally and described in writing in an official job description on file at the college and in the System Office. In all colleges, however, the program/area coordinator is responsible for the day-to-day operations of the program/area and collaboratively with the faculty, division head, and the chief academic officer, chief business officer, chief student services officer, and chief community and economic development officer. The program/area coordinator assists in the planning and effectiveness evaluation, development, and implementation of goals for the specific program/area. The program/area coordinator is a key individual in the program/area institutional effectiveness process.

The program/area coordinator works collaboratively with the division head and program/area faculty with reporting channels to the chief academic officer. The program/area coordinator is evaluated during the regular college performance review period.

General responsibilities may include:

Leadership:
- To provide leadership in the program/area consistent with the mission of the college.
- To promote an effective teaching and learning environment.
- To promote the use of academic support and academic services fostering student success within the program/area.
- To maintain an active program advisory committee (technical programs only).

Communication:
- To encourage effective communication within the program/area, division, and college.
Faculty:
- To be responsible, with the faculty and division head, for the recruitment and retention of qualified full-time, part-time and volunteer (when appropriate) faculty, as well as staff (when appropriate) within the program/area.

Students:
- To encourage academic processes and procedures that foster student success within the program/area.
- To participate in the student evaluation of instruction within the academic program/area.

Instruction:
- To be responsible, with the faculty, division head, and chief academic officer, for the overall maintenance and enhancement of a quality academic program/area.
- To be responsible, with the faculty, for curriculum development, implementation of goals, and evaluation of the academic program/area.
- To be responsible, with the division head, for the preparation of the schedule of classes.
- To actively use evaluation reports for the ongoing program effectiveness review and enhancement.

Budget:
- To be responsible, with the division head, for ensuring that budget request and expenditures are related to the goals and operational needs of the program/area.

Management:
- To be responsible, with the division head, for the preparation of institutional reports as requested by internal and external sources.
- To promote compliance with the local college and KCTCS policies and procedures.
- To assume other duties and responsibilities as assigned by the president/ceo and chief academic officer.
- To maintain program data and complete program reviews.

Qualifications:
- Commitment to the mission of the comprehensive community and technical college
- Full-time faculty member
- Record of successful experience as an instructor
- Personal and professional integrity
- Commitment to team leadership
- Effective interpersonal and communication skills
1.5.6.9 Campus Administrator

The campus administrator is the coordinating representative of an extended campus site designated by the college. The specific responsibilities of the campus administrator are determined locally and described in writing in an official job description on file at the college and in the System Office. In all colleges, however, the campus administrator is responsible for the day-to-day operations and management of the designated extended campus site. The campus administrator is a college faculty member or college staff personnel. Working collaboratively with college faculty, staff, and administrators; the campus administrator assists in the planning, development, and implementation of extended campus college programming and activities. The campus administrator is a key individual in the extended campus institutional effectiveness process.

The campus administrator works collaboratively with the college faculty and staff with reporting channels to the president/ceo or his/her designee. The campus administrator is evaluated during the regular college performance review period.

General responsibilities may include:

Leadership:
- To provide leadership at the extended campus consistent with the mission of the college.
- To promote an effective teaching and learning environment.
- To promote a campus environment that fosters student success.
- To promote involvement of full-time faculty in extended campus development, implementation, and effectiveness.

Management:
- To be responsible, with faculty, staff, and administrators, for the overall maintenance and enhancement of a quality extended campus.
- To promote compliance with the local college and KCTCS policies and procedures.
- To be responsible, with faculty, staff, and administrators, for academic affairs (e.g., scheduling of classes) and student affairs (e.g., registration) processes.
- To be responsible for the preparation of institutional reports as requested.
- To assume other duties and responsibilities as assigned by the president/ceo and chief academic officer.

Communication:
- To provide effective communication between the extended campus college community and the main campus college community.
- To promote effective communication between the extended campus faculty and the main campus faculty.
Budget:
- To be responsible for ensuring that budget requests and expenditures are related to the goals and operational needs of the extended campus.

Qualifications:
- Commitment to the mission of the comprehensive community and technical college.
- Record of successful leadership experience.
- Personal and professional integrity.
- Commitment to team leadership.
- Effective interpersonal and communication skills.
- Master’s degree.
- Relevant four (4) year’s work experience.

1.5.7 **Search for, Review and Evaluation of Administrative Officers**

1.5.7.1 **Procedure for Search Committees for Chief Administrative Officers of Educational Units**

A search committee charged with making recommendations on the appointment of the chief administrative officer (president/ceo of a college, chief academic officer, chief student services officer, chief business officer, chief community and economic development officer, division head) of an educational unit shall operate under the following minimum guidelines.

1. The number and types of members of a search committee shall be established by the appointing administrative officer after consultation with groups and or individuals as specified in the procedures.

2. A search committee shall have at least one (1) student member.

3. A search committee shall, as a minimum, provide the faculty members of the college with a reasonable opportunity for each of the following:

   a. To recommend possible candidates for the position;
   b. To meet with any seriously considered candidate who is interviewed by the committee on campus; and
   c. To express their opinions to the committee about the candidates whom they have met (such expressions are to reflect the opinion of concerned individuals and should be made known to the committee within a relatively short time).
4. A search committee is expected to maintain confidentiality with respect to its work and considerations. The committee also shall honor the request of any person to have one's candidacy remain confidential except to those involved in the selection process, until such time the person becomes a seriously considered candidate.

5. It is the affirmative action policy of the Kentucky Community and Technical College System that no candidate for a position shall be accorded preferential treatment or be discriminated against on the basis of characteristics which are not pertinent to the performance of the duties of the position.

6. It is the role and responsibility of the search committee to make recommendations on candidates with supporting rationale to the administrative officer who appointed the committee. (For presidential appointments, see Section 1.5.4.1)

1.5.7.2 Review of the Chief Administrative Officers of Educational Units

The primary purpose of evaluation of college presidents/ceos, chief academic officers, chief business officers, chief student services officers, chief community and economic development officers, and division heads is to enhance academic administrative leadership and effectiveness. Other purposes of review are to promote a climate of cooperation among faculty and administration and to maximize the effectiveness of the unit's execution of its responsibilities for all areas of scholarship, including, instruction, and public service and in the case of college presidents/ceos, academic, business and community affairs.

1.5.7.3 Annual Reviews of Administrative Officers of Educational Units

At least once every year, each college officer shall have a formal review focusing explicitly on the systematic review and assessment of the college officer’s job performance. This discussion shall include the educational unit head's accomplishments, areas for leadership and administrative improvement, and plans for helping the unit realize its goals. It shall include a discussion based on the unit's annual report on goals and accomplishments of the past year and plans for the next year. Every year, faculty and staff may be given the opportunity to provide written comments on their college officer’s strengths and areas for improvement prior to the performance review interview. The format and invitation for this feedback would come from, and the comments be returned to, the college officer’s administrative supervisor. A written summary of the comments received would be provided to the college officer being reviewed.
The first annual review shall be conducted no later than the end of the first year of a new appointment of the officer of a college. Its major purpose shall be to provide the college leader with constructive feedback on performance to aid in improving the leadership and administration of the college. The performance criteria shall be those delineated below and any implied by the procedures. Additional annual reviews shall be conducted every year, until the year prior to the last year of a term appointment.

Reviews shall be scheduled and conducted by the administrative supervisor of the college leader being reviewed and shall include a summary interview dedicated solely to the review process and its results.

### 1.5.7.4 Performance Criteria

Major responsibilities of college presidents/ceos, chief academic officers, chief business officers, chief student services officers, chief community and economic development officers, and division heads are stated in Section 1.5.6. Listed below is a further elaboration of the performance expectations and responsibilities of heads of colleges intended to assist them in meeting the expectations of the System in the leadership and administration of the college. The college’s administrative leader:

1. Develops and maintains effective academic and administrative leadership for the college and supports its continual improvement. With due process, replaces leadership in the college promptly in the event of inadequate performance.

2. Leads the development of outcome measures by which the colleges’ progress is evaluated.

3. Leads the development and implementation of written procedures for the conduct of the academic and administrative affairs of the college.

4. Implements the operating procedures of the unit in accordance with the KCTCS policies and procedures, rules of the appropriate academic senate, rules of the college, and other applicable regulations. Ensures current documentation of the college’s policies and procedures is on file in the appropriate System office as required by the System procedures.

5. Provides strong leadership for the college in developing a shared vision and creating, refining, and implementing the college’s Strategic Plan. This includes, but is not limited to, periodic review and revision of the college’s goals, objectives, and priorities as well as assessment of the effectiveness and accountability for resource utilization in the college.

6. Continually evaluates and facilitates, where appropriate, interaction of teaching, scholarship, and service programs with other colleges, in order to build on the existing strengths of the System. This includes interaction
with programs within the Kentucky Community and Technical College System.

7. Ensures evaluations of all faculty/staff in the college are carried out fairly and equitably, without explicit or implicit consideration of non-professional or personal factors in full accordance with published college and System rules, policies and procedures.

8. Seeks diligently to obtain resources outside the Kentucky Community and Technical College System and encourages college faculty and staff to seek resources to aid the development of college program(s) in accordance with the Strategic Plan.

9. Sees that the college’s resource distribution is in full accordance with that implied by the Strategic Plan.

10. Assists faculty in acquiring the resources necessary to maximize their potential and effectiveness.

11. Ensures procedures are followed that facilitate the success of the recruitment and retention of a diverse faculty, staff, and student body, including both women and minorities.

12. Ensures high quality and diverse candidate pools for all faculty and staff appointments.

13. Facilitates active, supportive relationships between newly appointed and experienced professionals.

14. Ensures the faculty has adequate opportunities to participate in the development of academic policy, academic programs, and other appropriate activities of the college.

15. Solicits and uses advice and counsel from faculty in the accomplishment of her/his duties.

16. Operates the programs of the college and allocates its resources through collegial management procedures which properly respect minority opinions and findings as well as those of the majority.

17. Explicates, both orally and in writing, the responsibilities each faculty/staff member accepts in becoming a member of the college.

18. Articulates those outcomes by which the faculty/staff member's success is measured and offers advice and guidance to aid all college members in improving their performances.
19. Communicates information promptly and effectively to all members of the college who are affected by the information.

20. Encourages college member initiatives and supports college members at all levels of the Kentucky Community and Technical College System fairly and objectively.

21. Supports effective faculty and staff development.

22. Establishes effective methods of student recruitment including vigorous efforts to recruit a diverse pool of students to the college.

23. Operates an effective college committee structure and delegates authority to committees and individuals.

24. Maintains a complete and up-to-date personnel file for each member of the college that contains the items listed in Kentucky Community and Technical College System procedures; informs the faculty/staff member regularly of the need to update items in the personnel file (applicable only if file is maintained by administrative head).

25. Assures equitable assignments in individual workloads.

26. Conducts oral and written annual reviews of progress of non-tenured faculty members and all staff and biennial reviews of tenured faculty members in accordance with published college and System rules, policies and procedures.

27. Develops and maintains good faculty, staff, and student morale and promotes a collegial working environment within the unit.

28. Represents the unit effectively at appropriate administrative levels of the Kentucky Community and Technical College System and, as appropriate, to external constituencies.

29. Adheres to the highest standards of professional ethics, in particular with respect to student relationships and matters which concern the professional lives of all faculty and staff members.

1.5.8 Ratification of Personnel Actions

Personnel actions reported to the KCTCS Board of Regents for ratification includes:

- Individual Personnel Action
  - Administrative appointments
  - Administrative Retirements
- Promotions
- Special leaves with pay longer than 90 days
- Deaths

**Summary Personnel Actions**
- Academic appointments
- Administrative appointments
- Reappointments
- Terminal reappointments
- Leaves of absence
- Non-administrative Retirements
- Resignations
- Non-renewal of appointments

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Recommended by: President, KCTCS Date: 11-09-15
1.8.2  KCTCS Systemwide Committees

1.8.2.1  KCTCS Senate Advisory Committees

1.8.2.1.1  KCTCS Senate Advisory Committee on Promotion (KCTCS Senate ACP)

The KCTCS Senate ACP is established for the purpose of providing the Kentucky Community and Technical College System President and the Chancellor with a systematic and broad base of advisement from both faculty and administration on matters of appointment, promotion, and tenure (where applicable). The primary responsibility of the committee is to advise the Kentucky Community and Technical College System President and the Chancellor concerning the appointment and promotion of faculty to the ranks of Associate Professor and Professor in KCTCS colleges and the granting of tenure.

The KCTCS Senate Advisory Committee on Promotion (ACP) shall consist of one member and one alternate from each college who hold the rank of Associate Professor or Professor appointed by the KCTCS President from recommendations made for each college by the KCTCS Senate Council. A minimum of five members shall review each file. A vacancy for an un-expired term shall be filled in the same manner.

In the initial appointment, eight (8) members and eight (8) alternates will be appointed for two-year terms; eight (8) members and eight (8) alternates will be appointed for a one-year term. Thereafter, members will be appointed for two-year terms.

The committee shall make promotion recommendations to the KCTCS President (with the committee vote and signature of each member in attendance). The committee shall give in writing the reason(s) for a negative recommendation.

1.8.2.1.2  KCTCS Senate Advisory Committee on Appeals (KCTCS Senate ACA)

The KCTCS Senate ACA shall consist of seven members (5 members and 2 alternates). The KCTCS President shall appoint the members from recommendations made by each college by their respective KCTCS Council member. In the initial appointments, four (4) members shall be appointed for two-year terms; and three (3) members shall be appointed for one-year terms. Thereafter, members shall be appointed for two-year terms.

The committee shall decide whether to hear the appeal.

The committee shall use a formal appeal hearing format developed by the committee.

Faculty denied promotion have 30 days from receipt of the final letter from the college president denying promotion to file an appeal.
The basis for all appeals shall be inadequate consideration and/or incomplete procedure.

The appeal shall be addressed to the Chancellor in writing and state/explain the factual basis for the claims of inadequate consideration and/or incomplete procedure.

1.8.2.2 Residency Review Committee – All KCTCS Colleges

A Residency Review Committee shall be established at each college in the Kentucky Community and Technical College System in accordance with the Council on Postsecondary Education's Residency Policy and 13 KAR 2:045. The Residency Review Committee at each institution shall consider appeals of residency determination by the residency appeals officer. The Residency Review Committee at each KCTCS institution shall be appointed by and report to the president of the institution. The Committee shall be comprised of six (6) faculty and/or staff members and two (2) students. The Chairperson shall be designated by the president. The faculty and/or staff members normally shall have staggered three (3)-year appointments; the student members shall have one (1)-year appointments. Each Residency Review Committee shall have authority to adopt bylaws, establish procedural rules, and schedule meetings. A quorum shall consist of five (5) members and a majority of the quorum shall be necessary for Committee action. At each institution the residency appeals officer shall provide professional and secretarial support for the Residency Review Committee, including, but not limited to, recording and preserving the minutes of Committee meetings, processing applications on appeal, and presenting applications at Committee meetings. The Kentucky Community and Technical College System Legal Counsel shall advise each Residency Review Committee on legal matters, including but not limited to interpretation of Council guidelines; procedural questions; and applicable laws, cases, and procedures. The Residency Review Committee at each institution shall submit an annual report to the president of the college.

Application for change of residency classification by a student enrolled in a KCTCS college shall be made in writing to the institution's residency appeals officer for initial consideration. The decision of the residency appeals officer, if adverse to the applicant, may be appealed within fourteen (14) days of notification to the institution's Residency Review Committee.

The Residency Review Committee shall make a determination of student residency status and notify the student within forty-five (45) days after receipt of the student appeal.

If the applicant considers the decision by the Committee to be unsatisfactory, the applicant may request a formal hearing in writing to the Chancellor within fourteen (14) calendar days after notification.
The Chancellor has been authorized by KCTCS to appoint a hearing officer within ten (10) days of receipt of the written request for a formal hearing. Formal hearing procedures shall be followed as established in Board of Regent’s Policy 6.3 Kentucky Community and Technical College System (KCTCS) Formal Hearing Procedures for the Determination of Residency Status Pursuant to 13 KAR 2:2045, Section 17.

1.8.2.3 KCTCS Distance Learning Committee

The responsibility of the System Distance Learning Committee is to advise the President of the Kentucky Community and Technical College System and staff of the President of the Kentucky Community and Technical College System on issues relating to compressed video and on-line delivery. The Committee is charged with the responsibility for making a decision on requests, as appropriate, for individual credit courses and new degree programs for extended-campus delivery, together with their proposed schedule. The Committee is further charged with making recommendations for distance learning policies and procedures.

An Advisory Panel of users and potential users of the system will meet at least once annually with the standing committee to provide advice on issues that emerge or that are potential concerns.

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1.8.2.3.2 KCTCS Human Subjects Research Policy

1.8.2.3.2.1 Human Subjects Review Board

The KCTCS Human Subjects Review Board (HSRB) has institutional responsibility for:

1. Assurance of protection of human subjects involved in research or related activities;
2. Assurance that KCTCS fulfills its contractual and federally mandated obligations relative to protection of human subjects, if applicable; and
3. Maintenance of policies and procedures for protection of human subjects which are, at a minimum, in accord with applicable regulations of funding and regulatory agencies.

The KCTCS HSRB is appointed annually by the KCTCS President after consultation with the KCTCS Cabinet. The membership composition of the Board is kept consistent with federal regulations. Chairpersons, ex officio members, and community members of the Board are designated by the KCTCS President. HSRB members with other than ex-officio status shall have staggered three-year appointments. The HSRB reports to the KCTCS Chancellor who serves on the HSRB and is responsible for managing individual protocol reviews; assisting in policy development, agency liaison, federal record keeping and reporting; handling allegation of noncompliance; and assisting the institution in responding to new federal initiatives affecting ethical conduct of research.

Any undertaking in which a KCTCS faculty member, staff member, or student investigates and/or collects data on human subjects for research or related activities may be construed as "involving human subjects". It is the responsibility of each investigator to seek review by the KCTCS HSRB of any proposed study involving human subjects prior to initiation of the project. Also, it is the responsibility of each investigator to ensure that research is implemented and records maintained in accord with KCTCS HSRB policies and procedures.

1.8.2.3.2.2 Responsibilities

The specific responsibilities of the designated KCTCS Human Subjects Review Board are to:

1. Review all research (or related activity) projects involving human subjects originating from their respective units.
2. Recommend appropriate action on these projects within the guidelines set forth by the applicable federal granting and regulatory agencies, if applicable, and the KCTCS HSRB Policy.
3. Review all proposed changes in previously approved research studies and recommend appropriate action on these changes within the guidelines set forth by the applicable federal granting and regulatory agencies and the KCTCS HSRB.
4. Conduct continuing review of previously approved research projects at intervals appropriate to the degree of risk, but not less than once per year.
5. Handle reports of unanticipated problems and allegations of noncompliance concerning protection of human subject regulations and, in cases where corrective action is needed, issue appropriate sanctions including but not limited to requesting minor changes, determining data collected cannot be used for publication, disqualifying investigators from conducting research involving human subjects at KCTCS, and recommending to KCTCS administration that further administrative action be taken.

6. Advise appropriate KCTCS officials of current federal regulations or proposed changes in federal regulations pertaining to the protection of human subjects, and advise on KCTCS policy development and regulation changes which best insure the rights and welfare of human research subjects.

7. Recommend to the President on membership composition of the Board through the KCTCS Vice President.

8. When participating in a cooperative project with another entity, enter into a joint arrangement, rely upon the review of another qualified HSRB, or make similar arrangements in accord with guidelines set forth by the applicable federal granting and regulatory agencies and KCTCS HSRB policy.

1.8.2.3.2.3 Meetings

Meetings of the HSRB may be regularly scheduled or held upon call of the chairperson.

1.8.2.3.2.3 Materials

Copies of the Department of Health regulations for human research subjects and other educational materials are available in the office of the KCTCS Chancellor.
SECTION 2

Human Resources Related Policies
2.0.1.1 Employment Status Categories

An employment status category is designated for each employee. When a search process is initiated, the college president/chief executive officer shall determine the employment status in accordance with KCTCS Board Policy 2.0-KCTCS Employment, based on funding and the needs of the college.

2.0.1.1.1 Faculty Tenured Employment Status

Full-time tenure-related faculty appointments shall be of two kinds: (1) tenure-track appointments and (2) tenured appointments. Faculty who have completed the tenure review period and are awarded tenure have tenured employment status.

Only regular full-time faculty, as defined in KCTCS administrative policies and procedures regarding time worked categories, are eligible to be tenured. The terms and conditions governing each appointment shall be stated in writing on the official KCTCS appointment record, a faculty tenure contract, which is continuous. Faculty members employed under a tenure contract shall continue to be subject to the terms and conditions of employment until separated from employment.

Although tenure is granted in KCTCS and not in a college, tenured faculty have as the location of their appointment the academic unit of the college as stated in their contracts. A dual appointment to a different college and/or different academic unit may be granted to a faculty member. In such a case, the college president/ceo, in consultation with the faculty member and chief academic officer, shall select one (1) college and academic unit as the faculty member’s primary college and academic unit for the purpose of this policy (e.g., governance, evaluation, promotion, separation).

Tenured faculty are eligible for full-time employee benefits as described in benefits policies, procedures, and regulations.

2.0.1.1.2 Faculty Tenure-Track Employment Status

Faculty employed in a tenure-track position have tenure-track employment status unless and until they earn tenured employment status. The terms and conditions governing each appointment shall be stated in writing on the official KCTCS faculty tenure-track contract.

Only regular full-time faculty, as defined in KCTCS administrative policies and procedure regarding time worked categories, shall have tenure-track employment status.
Tenure-track faculty have as the location of their appointment the academic unit of the college as stated in their contracts. A dual appointment to a different college and/or different academic unit may be granted to a faculty member. In such a case, the college president/ceo, in consultation with the faculty member and chief academic officer, shall select one (1) college and academic unit as the faculty member's primary college and academic unit for the purpose of this policy; e.g., governance, evaluation, promotion, separation.

Regular full-time tenure-track faculty are eligible for full-time employee benefits as described in benefits policies, procedures, and regulations.

**Faculty Tenure-Track Review Period**

Tenure-track faculty appointments shall be for one (1) year unless otherwise stated, subject to renewal, but the total tenure-track or probationary period shall not exceed seven (7) years, including recognized previous full-time service with the rank of instructor or librarian IV or higher in other institutions of higher learning. There is one exception: when a faculty member with more than three (3) years in the academic profession is called from another institution and appointed at the rank of associate professor or librarian II or below. That faculty member may be required to serve in a tenure-track status for a period not to exceed four (4) years, even though the total tenure-track period in the academic profession may be extended beyond seven (7) years.

In any case where a period of prior service of a faculty member involves significantly different institutional objectives or significantly different professional activity, all or part of the period of prior service may be eliminated from consideration in determining the -tenure-track period at the Kentucky Community and Technical College System.

The applicability of prior service to the tenure-track period of a faculty member shall be reviewed initially by the prospective faculty member, the appropriate division chairperson, the chief academic officer, and the college president/ceo. This review shall occur either before and/or during the interview of the applicant and prior to the appointment of the applicant as a faculty member. A request that all or part of the prior service be eliminated from consideration in determining the probationary period may be initiated by the prospective faculty member, the division chairperson, or the college president/ceo. After seeking the advice of the College Advisory Committee on Promotion, the college president/ceo shall forward the request with the college president/ceo's recommendation to the KCTCS Chancellor who shall approve or disapprove the request. The following questions shall serve as guidelines in making and considering requests for waiver or elimination of prior service:

1. Did the institution of prior service have similar expectations regarding formal criteria for awarding tenure?

2. Were the measurable achievements of the faculty member at the institution of prior service such that they would be counted as part of the
achievements to be evaluated by the KCTCS in consideration for promotion and tenure?

3. Did the faculty member use the same knowledge and skills and have the same career goals at the institution of prior service that the faculty member shall be using at the KCTCS? and

4. Does employment in the KCTCS involve a change of career and, therefore, a change in the expectations that shall be placed upon measurable achievements within a particular period of time?

Time spent on leave of absence shall count as tenure-track service unless the college granting the leave and the faculty member accepting it agree in writing to the contrary.

Faculty members initially appointed at the rank of full professor or librarian I may be given tenure-track status for a period not to exceed one (1) year. Following appropriate review periods not exceeding in duration those described above, all persons of associate professor or higher rank shall be given tenure or shall not have their appointments renewed; all persons of assistant professor rank shall be promoted to associate professor with tenure or shall not have their appointments renewed. Established appointment, promotion, and review procedures shall be followed in making these decisions.

A tenured associate professor who has not received a recommendation for promotion for six (6) years shall be considered for promotion, and a recommendation by the college president, either affirmative or negative, shall be made to the KCTCS Chancellor during the seventh (7th) year. If the recommendation of the college president is negative, the college president/ceo shall advise the faculty member of the decision not to recommend promotion and shall give the faculty member an opportunity to submit a promotion file to the KCTCS Senate Advisory Committee on Promotion for evaluation. The faculty member shall reply in writing to the college president/ceo either accepting or declining this opportunity for an evaluation of the faculty member's file by the KCTCS Senate Advisory Committee on Promotion. In the case of acceptance, the KCTCS Senate Advisory Committee on Promotion shall review and evaluate the file and recommend to the KCTCS Chancellor in the usual manner. In case of declination, the provision of another opportunity for consideration of the faculty member's promotion by the KCTCS Senate Advisory Committee on Promotion shall not be mandatory until six (6) more years have passed.

**Procedure for Promotion and Granting of Tenure**

The college president:

1. Initiates the proposal;
2. Supervises the gathering of vitae with the required and supporting material including the written opinions of the tenured faculty of the appropriate division;
3. Secures the advice of the division chairperson;
4. Secures the advice of the College Advisory Committee on Promotion;
5. Approves or disapproves the proposal at the level of Instructor to Assistant Professor. Notifies the faculty member and the division chairperson; and
6. Forwards to the KCTCS Chancellor recommendations for promotions at the levels of Assistant Professor to Associate Professor and of Associate Professor to Professor.
7. Notifies the faculty member and the division chair if the proposal is approved or disapproved after the proposal goes through all of the steps and a decision is made.

The KCTCS Chancellor:

1. Reviews proposal for completeness;
2. Secures the advice of the KCTCS Senate Advisory Committee on Promotion;
3. Forwards recommendations for approval to the KCTCS President; and
4. Notifies the college president once the proposal is approved or disapproved.

The President of the Kentucky Community and Technical College System:

1. Reviews the proposals;
2. Submits recommendations for approval to the Board of Regents for final action;
3. Notifies the KCTCS Chancellor if the proposal is disapproved.

The Board of Regents:

1. Takes final action.

2.0.1.1.3 Term Contract Employment Status

Regular contract faculty who are in a non-tenure-track faculty position have term contract status. Regular staff in a contract position shall have term contract status.

The terms and conditions governing each appointment shall be stated in writing on an official KCTCS appointment record (faculty term contract or staff term contract). Term employment contract faculty and staff shall not earn continued employment status. Term contracts shall have a maximum contract term of up to but no more than four years.
Term contract faculty and staff shall be classified as regular full-time or regular part time (less than full-time) as defined in KCTCS administrative policies and procedures regarding time worked categories.

Regular full-time contract faculty are expected to participate in KCTCS governance and committee work as deemed appropriate and in keeping with their annual performance planning document. Term contract faculty and staff are subject to all performance appraisal and other human resources policies during the terms of their contracts. If a faculty or staff member violates policy, the faculty or staff member is subject to disciplinary action, up to and including termination prior to the expiration of the term and/or the established non-renewal notification timeline.

Contract faculty and staff have as the location of their appointment the academic unit of the college stated in their contract. A dual appointment to a different college and/or academic unit may be granted a faculty or staff member. In such a case, the college president/CEO, in consultation with the faculty member and chief academic officer, shall select one academic unit as the faculty member's primary academic unit for purposes of this policy (e.g., governance, evaluation, promotion, separation).

Term contract faculty and staff are eligible for employee benefits as described in benefits policies, procedures, and regulations.

### 2.0.1.1.4 Continued Employment Status

Faculty and staff who have satisfactorily completed the KCTCS Introductory Period have continued employment status. In addition, former UKCCS and Lexington Community College non-contract staff who exercise the one-time option into the KCTCS personnel system are granted continued employment status. For newly hired employees on or after July 1, 2004, only regular full-time staff shall be eligible to earn continued employment status.

Faculty and staff with continued employment status shall be classified as regular full-time or regular part time (less than full-time) as defined in KCTCS administrative policies and procedures regarding time worked categories.

Regular status faculty who were employed on a non-contract basis and previously earned continued employment status retain their continued employment status while they remain in a non-contract position. Employees with continued employment status shall only be discharged from employment for just cause.

Faculty and staff with continued employment status are eligible for employee benefits as described in benefits policies, procedures, and regulations.
2.0.1.1.5  Continuing Employment Status

Former 151B faculty and staff who earned continuing employment status under KRS Chapter 151B retain continuing employment status following their transfer to KCTCS under KRS 164.5805. Those faculty and staff who exercise the one-time option into the KCTCS personnel system retain continuing employment status, which is equivalent to continued employment status in the KCTCS personnel system.

Faculty and staff with continuing employment status shall be classified as regular full-time or regular part time (less than full-time) as defined in KCTCS administrative policies and procedures regarding time worked categories.

Faculty and staff with continuing employment status are eligible for employee benefits as described in benefits policies, procedures, and regulations.

2.0.1.1.6  “Status” Employment Status

Former 18A staff who earned “status” employment status under KRS Chapter 18A retain “status” employment status following their transfer to KCTCS under KRS 164.5805. Those faculty and staff who exercise the one-time option into the KCTCS personnel system retain “status” employment status, which is equivalent to continued employment status in the KCTCS personnel system.

Staff with “status” employment status shall be classified as regular full-time or regular part time (less than full-time) as defined in KCTCS administrative policies and procedure regarding time worked categories.

Staff with “status” are eligible for employee benefits as described in benefits policies, procedures, and regulations.

2.0.1.1.7  “At Will” Employment Status

Temporary faculty and staff (contract and non-contract) shall have “at will” employment status. “At will” employment is defined as a legal doctrine that states that an employment relationship may be terminated by an employee or the employer at any time and for any or no reason. Regular status, less than full-time, faculty and staff who are hired on or after July 1, 2004, shall have “at will” employment status. Former UKCCS (including former Lexington Community College) non-contract staff retain their employment “at will” status following their transfer to KCTCS under KRS 164.5807. Employees under the KCTCS personnel system who are subject to the Introductory Period have “at will” employment status during the course of the Introductory Period.

Regular faculty and staff with “at will” employment status shall be classified as regular full-time or regular part time (less than full-time) as defined in KCTCS administrative
policies and procedure regarding time worked categories. Temporary faculty and staff shall be classified as temporary full-time or temporary part-time (less than full-time) as defined in KCTCS administrative policies and procedures regarding time worked categories.

Faculty and staff with “at will” employment status are eligible for employee benefits as described in benefits policies, procedures, and regulations.

**Introductory Period**

The first 6 months of employment is the Introductory Period for employees. During the Introductory Period, employees have “at will” employment status, with their work performance being monitored and assessed. During the Introductory Period an employee may be terminated from employment at any time with or without cause. This Introductory Period and its terms and conditions may be extended by the Vice President primarily responsible for Human Resources at the request of the respective college or cabinet member. Employees who satisfactorily complete the Introductory Period are granted “continued employment status” in accordance with KCTCS Board policies and administrative policies and procedures regarding continued employment status.

An employee may access the KCTCS independent third party appeal process during her/his Introductory Period only in cases involving allegations of statutorily prohibited discrimination.

Faculty and staff employed under a tenure contract, tenure-track contract, or term contract do not have a formal Introductory Period and are not eligible to earn continued employment status; they are governed under the terms of their employment contract (see KCTCS policies and procedures regarding contracts).
2.0.2.1 Kentucky Community and Technical College System Employment

2.0.2.1.1 Employee Rights and Responsibilities

Employee Rights
KCTCS believes in creating a professional, respectful, and harmonious working relationship among all employees. KCTCS believes in providing direct access to leadership. KCTCS is dedicated to creating and maintaining an atmosphere of open communication in which employees are encouraged to approach their immediate supervisor to discuss any problem or question. In pursuit of this goal, KCTCS has created the following employee relations objectives:

1. Provide an exciting, challenging, and rewarding workplace and experience.

2. Select people on the basis of skill, training, ability, attitude, and character without discrimination with regard to age, sex, color, race, creed, national origin, religion, political affiliation, veteran status or a disability that does not prohibit performance of essential job functions.

3. Compensate all employees according to their effort and contribution to the success of our organization.

4. Review wages, employee benefits and working conditions regularly with the objective of being competitive in these areas consistent with sound business practices.

5. Provide reasonable vacation, sick leave, paid time off and holidays to all eligible employees.

6. Provide eligible employees with health and welfare benefits.

7. Assure employees have, after talking with their immediate supervisor, an opportunity to discuss any issue or problem with officers of KCTCS or its designee.

8. Take prompt and fair action of any complaint that may arise in the everyday conduct of our affairs, to the extent that is practicable.

9. Respect individual rights, and treat all employees, students, and others with courtesy and consideration.

10. Maintain mutual respect in our working relationships.

11. Provide buildings and offices that are comfortable, orderly and safe.

12. Promote employees on the basis of their ability and merit.
13. Make promotions or fill vacancies from within KCTCS, to the degree possible and consistent with an efficient and effective workforce.

14. Keep all employees informed of the progress of KCTCS, as well as the organization's overall goals and objectives.

15. Promote an atmosphere in keeping with KCTCS’ vision, values, mission, and goals.

In addition, KCTCS encourages all employees to bring forward their suggestions and ideas about how the organization can be made a better place to work, internal processes improved, and services to clientele enhanced. When employees see an opportunity for improvement, they shall discuss it with their immediate supervisor. If appropriate, supervisors shall assist employees to bring their ideas to the attention of other responsible employees in the organization to consider and possibly implement. All suggestions are valued.

**Employee Responsibilities**

As a member of the KCTCS team, employees are expected to contribute their talents and energies to further improve the environment and quality of the services delivered to the citizens and employers of the Commonwealth.

1. KCTCS expects employees to make each working day productive, enjoyable, and rewarding. Employees have the responsibility to know their own duties and how to do them promptly, professionally, competently, respectfully, and pleasantly. Employees also have the responsibility to abide by KCTCS policies and procedures, applicable laws, as well as college and departmental rules and guidelines. Employees are expected to cooperate with leadership and their coworkers and to demonstrate a respectful and positive team attitude.

2. Employees are responsible for performing position responsibilities as outlined by the job description, job specification, and supervisor instructions. How employees interact with fellow employees and those whom KCTCS serves, and how employees accept direction can affect the success of their department and the organization. In turn, the performance of one department can impact the entire service offered by KCTCS. Consequently, whatever their position, employees have an important responsibility: perform every task as required.

3. Employees are encouraged to seek opportunities for professional development. This Policy Manual informs employees of KCTCS policies and procedures.

4. KCTCS expects employees to communicate their opinions and contribute their suggestions to improve the quality of the System. Please take the initiative to communicate with co-workers and with leadership to improve KCTCS services.
5. Employees must help create the pleasant and safe working conditions that KCTCS intends, resulting in better performance for the organization overall and personal satisfaction for employees.

Responsibilities of faculty members with administrative or staff appointments are addressed in the individual contract, job specification, job description, and/or departmental/supervisor directives.

Positions in the KCTCS System Office shall be positions under the KCTCS personnel system; therefore, employees who choose to accept KCTCS System Office positions shall be governed by KCTCS personnel system.

Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day of employment.

No statement or promise by a supervisor, immediate supervisor, or department head, past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee.

2.0.2.1.2 Employment under the KCTCS Personnel System

With the establishment of the Kentucky Community and Technical College System through the Kentucky Postsecondary Education Improvement Act of 1997 codified in sections of KRS Chapter 164, KCTCS is authorized to employ individuals in furtherance of its mission. New employees hired on or after July 1, 1998 (and after January 14, 1998 in community colleges and the system office, and on or after July 1, 2004 at Lexington Community College) in the Kentucky Community and Technical College System shall be governed by the rules of the KCTCS personnel system established by the Board of Regents.

2.0.2.1.3 Employment of Former University of Kentucky Community College System Employees Transferred to KCTCS: Adoption of Personnel Rules Pursuant to KRS 164.5807 (3) and (4)

Unless they elect to participate in the Kentucky Community and Technical College personnel system, employees in the University of Kentucky Community College System as of January 14, 1998, the date of the transfer of the management responsibilities of the University of Kentucky Community College System, to the Kentucky Community and Technical College System shall be governed by the University of Kentucky administrative regulations as of the effective date of the transfer and any subsequent changes made by the University, except that appeals shall be to the KCTCS Board of
Regents or to the Board’s designee. The following provisions shall apply: (a) Accumulated sick leave, compensatory time, and annual leave as of the effective date of the transfer shall be retained by each employee; (b) Faculty employees with tenure shall retain their tenure. Faculty employees without tenure shall earn tenure based on personnel policies in effect at the time of their employment. Applicable faculty without tenure shall earn tenure based on the policies established by the KCTCS Board of Regents; (c) Employees shall maintain a salary not less than their previous salary as of the effective date of the transfer; and (d) All employees hired as of the effective date of the transfer shall be provided the same benefit package available for University of Kentucky employees as it may be modified by the University of Kentucky for all employees.

A person employed as of the effective date of the transfer described in the paragraph above in may elect to participate in the Kentucky Community and Technical College personnel system. An employee who elects to accept this option may not return to the previous personnel system. The employee shall have the right to exercise this option at any time, to be made effective on the first day of the applicable pay period.

KCTCS administers all employment functions including but not limited to decisions relating to hiring, firing, employee discipline, wage and salary administration, payroll, benefits administration, employee training, wellness programs, and the I-9 certification process. Except for employees who accept a system office position, former UKCCS employees hired before January 14, 1998 who subsequently move to a different position at a KCTCS college shall retain their coverage under the UK personnel system, unless and until the employee has exercised the option to be covered by the KCTCS personnel system pursuant to KRS 164.5807 Section (4) (the Kentucky Postsecondary Education Improvement Act of 1997).

2.0.2.1.4 Employment of Former KRS 151B/18A Employees Transferred to KCTCS: Adoption of Personnel Rules Pursuant to KRS 164.5805 (1)(e)

This policy covers faculty and staff employees of the Cabinet for Workforce Development, Department of Technical Education who were hired into regular positions (not temporary appointments) before June 30, 1998.

In accordance with KRS 164.5805 (1) (e), the Board of Regents for the KCTCS adopted rules that are the same as the administrative regulations under KRS Chapter 151B in effect on June 30, 1998, to govern the certified and equivalent employees who transferred from the Cabinet for Workforce Development unless they elect to be governed by the KCTCS personnel system except that all grievances and appeals shall be to the Board of Regents or the Board's designee.
The Board of Regents adopted rules that are the same as the administrative regulations under KRS Chapter 18A in effect on June 30, 1998, to govern the transferred classified employees, except that all grievances and appeals shall be to the Board of Regents or to the Board's designee.

The rules referred to above (See Appendix I) were made effective July 1, 1998 and are incorporated into the administrative policies, as though fully set out in these policies.

Employees not otherwise covered under the KCTCS personnel system may elect to be governed by the KCTCS personnel system. An employee who elects to accept this option may not return to the previous personnel system. The employee’s decision into the KCTCS personnel system shall be in writing and may be exercised at any time, to be made effective on the first day of the applicable pay period.

KCTCS administers all employment functions including but not limited to decisions relating to hiring, firing, employee discipline, wage and salary administration, payroll, benefits administration, employee training, wellness programs, and the I-9 certification process. Except for employees who accept a system office position, former 151B/18A employees hired before July 1, 1998 who subsequently move to a different position at a KCTCS college shall retain their coverage under the former 151B/18A personnel system, unless and until the employee has exercised the option to be governed by the KCTCS personnel system.

2.0.2.1.5 Employment of Former University of Kentucky/Lexington Community College Transferred to KCTCS: Adoption of Personnel Rules Pursuant to Kentucky House Joint Resolution 214

KCTCS is delegated management responsibility for Lexington Community College (LCC) effective July 1, 2004. LCC faculty and staff have the same rights as KCTCS employees as former UKCCS employees related to policies, benefits, and the terms and conditions for electing to be governed under the KCTCS personnel system.

2.0.2.2 Duration Categories and Time Worked Categories for Employees

The Kentucky Community and Technical College System’s workforce consists of faculty and staff employees. KCTCS uses two (2) position/employment “duration” categories for both faculty and staff that serve as the basis for the determinations of both employment status and eligibility for employee benefits. These categories are “regular” and “temporary”. KCTCS employees are officially designated as either regular or temporary, typically based on whether the position they hold is classified as regular or temporary.
When positions are officially established and assigned a classification, the college or System Office department proposes and requests the duration category of the position to be either regular or temporary based on departmental workload needs and budgetary considerations. The determination of the duration category is a formal designation in the position classification process and is subject to the approval of the KCTCS Human Resources Office.

In addition to a duration category, employees have a “time worked” category. The time worked categories include “full-time” and “part-time.” The time worked category is established based on the assigned number of hours to work as part of the position classification process. Work schedules and the number of hours worked may potentially vary for a given week/month, therefore the amount of hours to be worked is considered spread over a monthly and/or annualized basis. The college or system office department, in accordance with the unit’s operational needs, defines the actual scheduled hours of work for a workweek.

All employees have both a duration category (regular or temporary) as well as a time worked category (full-time or part-time), with four (4) possible combinations of the two duration/time worked categories. An employee’s combined duration category and time worked category determine eligibility for employee benefits as described in applicable benefits policies and regulations.

2.0.2.2.1 Duration Categories

Regular positions have the following characteristics:

1) A position that is funded for one year or longer, and
2) A position that has a minimum employment period of nine (9) months.

All other positions are temporary positions.

A regular employee is an employee whose position has been officially established and classified as a regular position within the KCTCS classification system. In addition, a regular employee may staff a temporary position on a temporary basis. Regular employees are entitled to full or partial employee benefits, depending on their time worked category and as described in benefits policies, procedures, and regulations.

A temporary employee is an employee whose position has been officially established as a temporary position within the KCTCS classification system, or who is in a regular position on a temporary basis. A temporary employee is not eligible to earn continued employment status and did not earn either continuing employment status (under 151B) or status (under 18A). Temporary employees are entitled to employee benefits as described in benefits policies, procedures, and regulations.
2.0.2.2.2 Time Worked Categories

In addition to duration category as regular or temporary, the time worked category determines eligibility for employee benefits. For full-time regular and temporary staff the normal work week consists of at least 37.5 hours. For faculty, a normal work week consists of the time required to complete the assigned workload as specified in the Distribution of Effort Agreement and/or the Performance Planning and Evaluation document, in accordance with KCTCS Administrative Policy and Procedure 2.11-Workload. Regular less than full-time staff are scheduled to work based upon a pro rata portion of the college’s or department’s normal workweek.

The time worked category may vary and can affect employee benefits. The time worked categories are as follows:

- **A full-time employee** is one who is designated as such and is normally scheduled to work one hundred percent (100%) of the college or department’s normal work week for staff (i.e., at least 37.5 hours per week) or the normal full-time workload for faculty.

- **A part-time employee** is one who is designated as such and is normally scheduled to work on average less than one hundred percent (100%) of the college or department’s normal work week for staff (i.e., less than 37.5 hours per week) or on average less than 100 percent (100%) of the normal full-time workload for faculty.

- A part-time employee who has not worked for two (2) consecutive years is deemed to have resigned his/her employment.

2.0.2.2.3 Duration and Time Worked Categories: Benefits Eligibility

Employees may have combinations of the duration category and the time worked category as follows:

- **REGULAR/FULL TIME** – A regular full-time employee whose position is classified as regular full-time (or is assigned to a temporary position on a temporary basis) and who is normally scheduled to work one hundred percent (100%) of the college or department’s normal work week for staff (i.e. at least 37.5 hours per week) or the normal full-time workload for faculty. Regular full-time designation entitles employees to full employee benefits as described in benefits policies, procedures, and regulations.

- **REGULAR/PART TIME** – A regular part-time employee is an employee in a position classified as regular status part-time position (or is assigned to a temporary position on a temporary basis) and therefore is normally
scheduled to work on average less than one hundred percent (100%) of the college or department’s normal work week for staff (i.e., less than 37.5 hours per week) or on average less than one hundred percent (100%) of the normal full-time workload for faculty. A regular part-time employee is eligible for employee benefits only on a very limited basis and may be prorated, in accordance with KCTCS benefits policies, procedures, and regulations.

TEMPORARY/FULL TIME- A temporary full-time staff employee, or adjunct faculty member, is an employee in a position that is classified as a temporary position (or in a regular position on a temporary basis) and who is normally scheduled to work one hundred percent (100%) of the college or department’s normal work week for staff (i.e., 37.5 hours per week,) or one hundred percent (100%) of the full-time workload for faculty, or is in a regular staff position on a temporary basis. A temporary full time employee is eligible for employee benefits only on a very limited basis and may be prorated, in accordance with KCTCS benefits policies, procedures, and regulations.

TEMPORARY/PART TIME – A temporary part-time staff employee, or an adjunct faculty member, is working in a position that is classified as a temporary position (or in a regular position on a temporary basis) and normally scheduled to work on average less than one hundred percent (100%) of the college or department’s normal work week for staff (i.e., less than 37.5 hours per week,) or on average less than one hundred percent (100%) of the normal full-time workload for faculty, or is in a regular staff position on a temporary basis. A temporary part-time employee is eligible for employee benefits only on a very limited basis and may be prorated, in accordance with KCTCS benefits policies, procedures, and regulations.

4-30-99 6-29-01; 6-29-04; 6-14-05; 
1-23-14 6-29-01; 6-29-04; 6-14-05; 
1-23-14

Date Approved by Date(s) of Last Review Date(s) of Last Revision
President, KCTCS (Include all dates in chronological order)

(SIGNED) 1-23-14 (SIGNED) 1-23-14
Recommended by Date
President, KCTCS Date
2.1 Faculty, Faculty Rank, and Faculty Titles

2.1.2 Full-Time Faculty

A full-time faculty member is an employee of a KCTCS college who is qualified for appointment to one (1) of the academic ranks listed in Policy Subsection 2.1.3 and ordinarily has full-time teaching duties or has other teaching related duties (e.g. research, academic administration, librarians, counselors) equivalent to a full-time teaching load and fulfills the duties and responsibilities of a faculty member.

2.1.2.1 Librarians (Faculty)

Librarians perform specific duties as assigned by the director of library services or the chief academic officer. A college’s academic programming encompasses four general areas: pre-baccalaureate, occupational/technical, developmental, and continuing education/community service. Librarians assist in achieving educational objectives relevant to these areas.

The library services philosophy supports the general philosophy of an open access college: to assist individuals through college programs to realize their full potential as educated citizens. Toward that end, the duties included in any job description encompass all functions assigned to the librarian as reflected on the annual planning document agreement. Each librarian may, in addition, be given by the director of library services specific assignments that are in keeping with institutional priorities, program needs, and individual expertise. The basic concept of library services is that each college provides a library program to which each individual librarian contributes as student and faculty needs emerge and institutional change occurs. The librarian is evaluated by the director of library services.

General Responsibilities may include:

- To assist with the planning, organization, and evaluation of library and information services.
- To offer quality library and information services.
- To instruct library users to access and evaluate information.
- To remain informed on current trends for library and information services.
- To participate in professional organizations and professional development opportunities.
- To serve on assigned college and KCTCS committees.
- To meet professional standards and ethics that are in accordance with state regulatory statutes and/or the American Library Association (ALA) standards.

Qualifications:
Master’s or Doctoral Degree in Library and Information Sciences from an American Library Association accredited program. The librarian will be evaluated by the director of library services.

### 2.1.2.2 Counselors (Faculty)

Counselors employed by KCTCS colleges are expected to address specific duties as assigned by the chief student services officer or chief academic officer. The college’s academic programming encompasses four general areas: developmental, continuing education/community service, occupational/technical, and pre-baccalaureate. The counselor shall be prepared to assist students in achieving educational objectives relevant to these areas.

The counseling program’s philosophy is supportive of the general philosophy of an open access college: to assist individuals, through college programs, to realize their full potential as educated citizens. Toward that end, the duties shall encompass all functions normally assigned to the counselor as reflected on the annual planning document agreement. Each counselor may, in addition, be given other assignments that are in keeping with institutional priorities, program needs, and individual expertise.

The counselor will be evaluated annually by the chief student services officer or other designated supervisor.

General Responsibilities may include:

**Academic and Career Exploration**
- To provide academic and career/life planning, counseling, assessment, and development.
- To assist prospective transfer students planning to transfer to a four-year college or university.
- To assist prospective students seeking an occupational/technical certificate, diploma, and degree within KCTCS colleges.
- To periodically engage in teaching (e.g., human development courses, psychology, etc.), as academic credentials allow.

**Personal Growth Programs and Other Areas that Affect the Complete Development of an Educated Person**
- To provide referrals to appropriate community agencies.
- To promote the total development of each individual student.
- To be accountable for meeting professional ethical standards as stated by the American Counseling Association (ACA).

**Qualifications:**
- Master’s Degree in Counseling/Counselor Education or in a related field.
Knowledge and skill competencies in the following areas: human growth and development, helping relationships, career and lifestyle development, social and cultural foundations, student affairs practice in higher education, and assessment.

Preference may be given to:
- Applicants with a doctorate in Counseling/Counselor Education or in a related field.
- Graduates of a CACREP (Council for Accreditation of Counseling and Related Educational Programs) accredited program.
- Substantial experience (3 years) in student affairs practice in higher education.

2.1.3 General Criteria for Ranks (KCTCS Faculty Hired 2004 and Thereafter; All Other Full-Time Faculty Who Select This Criteria)

Faculty Hired in Former UK Personnel System or Prior to 2004 in a Community College are grandfathered under 2003-2004 promotion criteria. (See Attachment A)

Faculty Hired in Former Kentucky TECH System or Prior to 2004 in a Technical College are grandfathered under 2003-2004 promotion criteria. (See Attachment B)

For eligibility for promotion in rank, see administrative policy 2.6.

2.1.3.1 Instructor or Lecturer

The title Instructor designates a person whose services are primarily teaching or other teaching-related duties (e.g. research, academic administration, librarians, counselors), advising, community service, professional development, and institutional service based on the planning document agreement.

The title Lecturer designates a person whose services are for specific teaching or other teaching-related duties (e.g. instructional design, online teaching and/or facilitation, laboratory or clinical facilitation). Other academic duties and service may be considered and will be based upon the planning document agreement.

In occupational/technical programs where an academic degree is not available, two (2) years of occupational experience, professional preparation in the field, or registration or certification by a recognized agency may be presented in lieu of educational attainment.

The minimum academic degree for faculty teaching in professional, occupational and technical degree areas must be at the same level at which the faculty member is teaching.

The typical combination is a baccalaureate degree with appropriate work experience.
In the pre-baccalaureate program, faculty must meet the credential qualifications as stated in the Southern Association of Colleges and Schools’ *Principles of Accreditation*.

### 2.1.3.2 Assistant Professor

Promotion to the rank of Assistant Professor will be made when the colleagues, the division chairperson/director of library services, the chief academic officer, or the chief student services officer, and the president/CEO of the college determine that the individual has a current capacity for quality teaching or other teaching-related duties, quality student relations, and community service. The individual will also have demonstrated an interest in professional development and in fulfilling the mission of the college.

The evaluation of the individual’s performance should be determined by the use of current objective evaluative instruments used at the college. This rank is a recognition of increased quality and depth of performance and achievement rather than length of service.

### 2.1.3.3 Associate Professor

Promotion to Associate Professor will be made only after an indication of continuous improvement and contribution as a faculty member. The individual shall have compiled a record of achievement in all assigned areas of activity and have demonstrated leadership in one or more of these. The individual shall also have contributed to the overall fulfillment of the college mission.

The evaluation of the individual’s performance should be determined by the use of current objective evaluative instruments used at the college. This rank is a recognition of increased quality and depth of performance and achievement rather than length of service.

### 2.1.3.4 Professor

Promotion to the rank of Professor will be awarded to an outstanding faculty member who has demonstrated excellence in assigned areas of activity and in professional development as related to the mission of the college. This person shall also have been recognized for educational or professional leadership activities extending beyond the local college level.

The evaluation of the individual’s performance should be determined by the use of current objective evaluative instruments used at the college. This rank is a recognition of increased quality and depth of performance and achievement rather than length of service.
2.1.3.5 Review Periods (All Eligible Faculty)

**Track A: (Continuing Status/Continued Status/Term Contract Status)**
Full-time faculty at the rank of Instructor shall serve three (3) years at the rank of Instructor to be eligible for promotion to Assistant Professor. Full-time faculty at the rank of Lecturer will not be eligible for promotion in rank. Faculty at the rank of Assistant Professor shall serve three (3) years at the rank of Assistant Professor to be eligible for promotion to the rank of Associate Professor. Faculty at the rank of Associate Professor shall serve six (6) years at the rank of Associate Professor to be eligible for promotion to the rank of Professor.

**Track B: (Tenure Track/Tenure Status)**
An individual shall not remain as an Instructor for more than three (3) years. If after that period promotion to a higher rank cannot be justified, the individual's appointment in the Kentucky Community and Technical College System shall not be renewed. Non-tenured appointments at the Assistant Professor or Associate Professor level shall not exceed seven years including previous full-time service at the rank of Instructor or higher at other institutions of higher learning, except that no more than three (3) years of previous service may be counted against this seven year probationary period. Reviews shall follow the usual procedures for promotion and must be completed in time for the individual to be notified of the result in accordance with the KCTCS policies and procedures or as otherwise set forth in the individual's Letter of Appointment. Assistant Professors must either be promoted at the end of the probationary period or shall not have their appointments renewed.

2.1.4 Types of Appointments Applicable to All Faculty

All recommendations for appointment to the faculty of KCTCS colleges must be supported by a file containing a complete vita of the candidate, official college transcripts, and letters of recommendation from at least three (3) qualified persons outside the colleges. These recommendations must originate with the chief academic officer or the appropriate administrative officer in concert with the college’s and KCTCS’ hiring procedures after due consultation with the appropriate faculty members. Established criteria shall form the basis for judgment at all steps of the appointment process.

The precise terms and conditions concerning each appointment shall be stated in writing on an official appointment record.

2.1.4.1 Visiting Professors

The designation "visiting" before an academic title indicates that the holder of the title has a limited temporary appointment for an academic year, semester, or summer term.
The visiting title used should be appropriate to the appointee's home base position, i.e., Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, or Visiting Instructor. Where professorial rank or title does not appear to be suitable, the title "Visiting Lecturer" should be used. A visiting appointment may be full-time or part-time, salaried or unsalaried. The appointment is by definition a temporary one and the visitor is not eligible for staff benefits, except that those with salaried full-time appointments are eligible for health insurance coverage. The visiting title does not include eligibility for membership in the Senate. Membership, with or without voting privileges, may be extended to a visiting appointee by the faculties of the college and the division to which the appointee is assigned.

2.1.4.2 Voluntary Faculty

Voluntary faculty members are those appointed by a KCTCS college president/CEO who receive no stipend or salary and who devote only a part of their time to a program. Usually such faculty members are engaged in private practice or business, but they may hold full-time positions with other institutions and agencies. Voluntary faculty members are not eligible for tenure, for usual benefits available to full-time faculty members, or for membership in the Senate. Faculty membership, with or without voting privileges, may be extended by a college to one (1) or more of its voluntary faculty.

Voluntary faculty may be appointed by the president/CEO of a KCTCS college and reported to the Chancellor. A Voluntary Faculty Data Form shall be completed and is maintained at the college. The college compiles a list of voluntary faculty from the completed Voluntary Faculty Data Forms, which should be forwarded to the Chancellor at the earliest opportunity for processing and reporting to the Kentucky Community and Technical College System President. Since the affiliation of Voluntary Faculty with the college is not documented in the payroll system, completion of the Voluntary Faculty Data Form and submission of the list of voluntary faculty to the System Office is necessary to formalize the association. The Voluntary Faculty Data Form should be completed prior to assumption of duties.

Each spring, voluntary faculty members for the following academic year should be appointed or reappointed at the same time the college is appointing or reappointing full-time faculty members. Voluntary faculty members may be appointed or reappointed for periods determined by the college president/CEO.

When reporting voluntary faculty appointments, a cover letter, or letter of transmittal, should accompany the form.

Signed copies of each Appointment Form, if utilized, are returned to the college.
2.1.4.3  **Part-Time Faculty— (Less Than Full-Time)**

Part-time faculty are employed by the college to meet the needs of the instructional program. Term contracts are given to the part-time faculty who are appointed by the president/ceo. The employment of part-time faculty members provides expertise which enhances the educational effectiveness of the college. Typically, part-time faculty members are not eligible for membership in the Senate. Membership, with or without voting privileges, may be extended to a part-time faculty member in the faculty of the college and in the division to which the individual is assigned.

2.1.4.4  **Emeritus Professors**

Upon retirement, tenured status, continuing status, and continued status faculty members may retain their titles with the designation "emeritus" at the discretion and approval of the respective college president/ceo.

In addition, the respective college president/ceo will determine the privileges to be given to the emeritus designated faculty member. Access to such privileges shall be limited to those resources that are owned, managed, and/or controlled at the local college level.

2.1.4.5  **Retired Faculty Employment**

Official retirees may be hired as a temporary part-time or full-time faculty member in one of two (2) ways:

1. using an approved fee schedule at the part-time per course instruction rate. Such an appointment shall be treated as a temporary part-time per course faculty appointment. The standard Appointment Form must be completed. Appropriate credentials must be on file at the college. No approval is needed outside the college; or

2. with the approval of the Chancellor, the President of the Kentucky Community and Technical College System and the Board of Regents. Such an appointment may be temporary full-time or part-time, for a maximum length of one (1) year. Reappointment for each subsequent year also requires approval of the individuals listed above and of the Board of Regents. This process requires planning to meet published Board of Regents’ deadlines. The Board of Regents must approve the appointment prior to the effective date of the appointment. The standard Primary Faculty Appointment and Assignment Form is used to initiate this process. Appropriate credentials must be on file at the college.

In all cases the college should contact the KCTCS Human Resources Office to verify the status of the potential employee, and to check on benefit implications (social security
earnings, Medicare, etc.), and should then advise the retiree. The retiree may also wish to consult with the KCTCS Human Resources Office to check on benefits implications.

2.1.5 Failure to Support Administrative Action for Promotion (All Eligible Faculty)

Whenever a recommendation to promote is disapproved by either the Chancellor or the President of the Kentucky Community and Technical College System, this fact must be reported back to the president/CEO of the college with supporting reasons in writing, and an opportunity provided for a thorough discussion among the concerned parties. The president/CEO of the college shall notify the faculty member in writing of the decision not to promote and shall include the reason(s) for the decision. The president/CEO of the college will initiate the discussion with the faculty member. The director of library services/division chairperson, chief academic officer, and/or chief student services officer may be included in such a discussion at the request of the president/CEO of the college or the faculty member. Any related appeals through administrative channels and/or the KCTCS Senate Advisory Committee on Appeals (KCTCS Senate ACA) (for the ranks of Assistant, Associate, or Professor) must be initiated in writing by the faculty member within thirty (30) days after being notified in writing by the president/CEO of the college of the decision not to approve a recommendation to promote.

The faculty member’s appeal, which is sent through the college president’s office, shall be in writing and shall be addressed to the Chancellor. It shall state and explain the basis of the appeal under inadequate consideration and/or incomplete procedure. (See KCTCS administrative policies and procedures regarding faculty appeals through the KCTCS Senate Advisory Committee on Appeals.)

The KCTCS Senate ACA shall follow formal hearing appeal procedures developed by the committee.
2.1 Administrative Policy Attachment A

FACULTY HIRED IN FORMER UK PERSONNEL SYSTEM OR PRIOR TO 2004 IN A COMMUNITY COLLEGE GRANDFATHERED UNDER 2003-2004 GENERAL CRITERIA FOR RANKS

Although it would be impossible to specify the exact criteria for judging an appointment or promotion to any one particular rank, a few general statements are made as guides to review committees.

Instructor in the Community Colleges

The title Instructor in the Community Colleges designates a person whose services are contracted primarily for teaching, advising, and community service, including professional development, and institutional service (all areas on the planning agreement). The individual should have an understanding of and a belief in the purposes of a community college.

In the pre-baccalaureate program, faculty must meet the credential qualifications as stated in the Southern Association of Colleges and Schools Criteria for Accreditation Manual.

In technical programs where an academic degree is not available, two (2) years of occupational experience, professional preparation in the field, or registration or certification by a recognized agency may be presented in lieu of educational attainment. In technical programs where an academic degree is available, it is expected that the individual shall have at least a bachelor's and preferably a master's degree where appropriate.

Assistant Professor in the Community Colleges

Appointment or promotion to the rank of Assistant Professor in the Community Colleges will be made when it has been determined by colleagues, the Division Chairperson, and the President of the Community College that the individual has a current capability for good teaching, good student relations, and community service; and that the individual has demonstrated a genuine concern in fulfilling the purposes of a community college.

The evaluation of the individual's performance should be determined by the use of current objective evaluative instruments.

Associate Professor in the Community Colleges

The promotion to Associate Professor in the Community Colleges will be made only after an indication of continuous improvement and contribution as a faculty member. The
individual shall have demonstrated definite leadership in assigned areas of activity and in the overall development of the program of the applicable community college. The individual also shall have earned recognition for educational leadership.

**Professor in the Community Colleges**

A promotion to the rank of Professor in the Community Colleges should be an indication that the individual is an outstanding, mature faculty member who has been recognized for leadership in the applicable community college and the Community College Branch; and who has demonstrated excellence in assigned areas of activity, in professional development, and in the total program of the applicable community college. It should always be stressed that this rank is a recognition of quality, and depth of performance and achievement rather than length of service.
FACULTY HIRED IN FORMER KENTUCKY TECH SYSTEM OR PRIOR TO 2004 IN A TECHNICAL COLLEGE GRANDFATHERED UNDER 2003-2004 GENERAL CRITERIA FOR RANKS

Definition of Faculty Eligible for Promotion – Technical Colleges

- A person who spends at least 50% of his/her time in a teaching capacity; 50% of his/her responsibilities are related to an instructional program. (Verify)
- Division/department chairs who are employed in an administrative division/department chair capacity and who do not teach will not be considered for promotion in rank. Division/department chairs from faculty ranks who are assigned division/department chair responsibilities will be required to meet the 50% clause.
- Division/department chairs must teach 50% of their time to be considered for promotion in rank.
- Librarians who hold a Master’s Degree in Library and Information Sciences from an American Library Association accredited program are eligible for the ranks of Librarian IV (Instructor), III (Assistant Professor), II (Associate Professor), and I (Professor).
- Faculty classified as part-time by Human Resources (HR) are not eligible to participate in the credentials and promotions process nor faculty governance.

Certificate and Diploma Programs: Promotions – Technical Colleges

Instructor to Assistant Professor – Technical Colleges

Performance Effectiveness: Good recommendations would consist of all required components from the following:

1. Successful completion of mentorship, KCTCS New Teachers Institute or have previous successful teaching experience
2. Student course evaluations**
3. Personal (annual) evaluations
4. Course Syllabi
5. Classroom Observations
6. Advising ***
7. Community Service and Institutional Service

** Student course evaluations: faculty in correctional settings will have the student course evaluations completed by on-site administration.
***Advising: Non-occupational program faculty may submit materials which document collaborative or subject area information which supports the advising process.
Education: Completion of associate degree or equivalent* in teaching or related field.  
*Equivalent of an associate degree is defined as:  
1. Any combination of field-related experience, i.e. licensure, certification, 
apprenticeship, NOCTI, continuing education, ASE, A+, AWS, MACS, etc.  
2. One year postsecondary diploma is equal to one year of work experience.  
3. Two year postsecondary diploma is equal to two years of work experience.  
4. An Associate Degree is 7000 hours or 3.5 years of full-time, field-related work 
experience.  
5. An Associate degree equivalent can also be 64 college credit hours.  

Work Experience*: 2 years  
*Work experience must be field-related work experience.  

Teaching Experience: 3 years, 3 of which must be KCTCS*.  
*KCTCS teaching experience includes teaching in the technical (KY TECH) or 
community college system prior to the establishment of KCTCS.  

Professional Activities: Professional organization membership, campus committee 
membership, awards and recognition, etc.  

Assistant Professor to Associate Professor – Technical 
Colleges  

Performance Effectiveness: Must be rated as Very Good.  
The portfolio would include appropriate and sufficient documentation from the following 
required components to support the promotion. The Campus Peer Review Committee 
(CPR) would review and determine if the criteria were met.  
1. Student evaluations of instruction**  
2. Personal (annual) evaluations  
3. Course Syllabi, proof of varied teaching modalities  
4. Professional development, 25 hrs. per year  
5. Advising***  
6. Community Service and Institutional Service  
7. Campus participation: Senate, college-wide committees  
8. Awards and recognition, published articles, or presentations at workshops and 
conferences.  
** Student course evaluations: faculty in correctional settings will have the student 
course evaluations completed by on-site administration.  
***Advising: Non-occupational program faculty may submit materials which document 
collaborative or subject area information which supports the advising process.  

Education: Bachelor’s or equivalent* with 12 semester hours in teaching or related 
field.  
*Equivalent of a Bachelor’s degree is defined as:
1. Any combination of field-related experience, i.e. licensure, certification, apprenticeship, NOCTI, continuing education, ASE, A+, AWS, MACS, etc.
2. One year postsecondary diploma is equal to one year of work experience.
3. Two year postsecondary diploma is equal to two years of work experience.
4. An Associate Degree is 7000 hours or 3.5 years of full-time, field-related work experience.
5. An Associate degree equivalent can also be 64 college credit hours.
6. A Bachelor’s degree equivalent is 14,000 hours or 7 years of full-time, field-related work experience.

**Work Experience**: 2 years.
*For those in academic areas, one year of college equals two years work experience up to two years of education substituting for four years work experience.

**Teaching Experience**: Six years, three of which must be in KCTCS*.
*KCTCS teaching experience includes teaching in the technical (KY TECH) or community college system prior to the establishment of KCTCS.

**Recognized Leadership**: Must be evaluated as Very Good.
Local Senate committee officer or chair or major Senate committee, accreditation committee standard chair, officer in faculty council, attended leadership academy, representative to board of directors, student organization advisor, officer in professional organization. (Examples that may be used to meet this requirement)

**Minimum Time in Previous Rank**: Three years as Assistant Professor.
Note: Faculty hired prior to academic year 2000-01 may also demonstrate that initial appointment criteria for Assistant Professor has been met to fulfill part of this three year requirement for the initial promotion in rank. (Thereafter, time in the promoted rank must be served.)

**Associate Professor to Professor – Technical Colleges**

**Performance Effectiveness**: Must be rated as Excellent.
The portfolio would include appropriate and sufficient documentation from the following required components to support the promotion. The Campus Peer Review Committee (CPR) will review and determine if the criteria were met.
1. Student evaluations of instruction**
2. Personal (annual) evaluations
3. Course Syllabi, proof of varied teaching modalities
4. Professional development, **25 hrs. per year**
5. Advising***
6. Community Service and Institutional Service
7. Campus and System or District participation: local and system or state or national
8. Awards and recognitions, published articles, or presentations at conferences and workshops.
9. Professional memberships
   ** Student course evaluations: faculty in correctional settings will have the student course evaluations completed by on-site administration.
   ***Advising: Non-occupational program faculty may submit materials which document collaborative or subject area information which supports the advising process.

   **Education:** Bachelor’s degree in teaching or related field.
   **Work Experience***: 2 years.
   *For those in academic areas, one year of college equals two years work experience up to two years of education substituting for four years work experience.

   **Teaching Experience:** 10 years, 6 of which must be under KCTCS*.
   *KCTCS teaching experience includes teaching in the technical (KY TECH) or community college system prior to the establishment of KCTCS.

   **System/District Leadership:** Must be evaluated as Excellent.

   **Minimum Time in Previous Rank***: 6 years as Associate Professor
   Note: Faculty hired prior to academic year 2000-01 may also demonstrate that initial appointment criteria for Associate Professor has been met to fulfill part of this six year requirement for the initial promotion in rank. (Thereafter, time in the promoted rank must be served.)

   **AAS and AAT Programs and Courses: Promotions – Technical Colleges**

   **Instructor to Assistant Professor – Technical Colleges**

   **Performance Effectiveness:** Good recommendations would consist of required components of the following:
   1. Successful completion of mentorship, KCTCS New Teachers Institute or have previous successful teaching experience
   2. Student course evaluations**
   3. Personal (annual) evaluations
   4. Course Syllabi
   5. Classroom Observations
   6. Advising***
   7. Community Service and Institutional Service
   ** Student course evaluations: faculty in correctional settings will have the student course evaluations completed by on-site administration.
   ***Advising: Non-occupational program faculty may submit materials which document collaborative or subject area information which supports the advising process.

   **Education:** Bachelor’s or equivalent* in teaching or related field.
**Work Experience**: 2 years.
*For those in academic areas, one year of college equals two years work experience up to two years of education substituting for four years work experience.

**Teaching Experience**: 3 years which must be under KCTCS*.
*KCTCS teaching experience includes teaching in the technical (KY TECH) or community college system prior to the establishment of KCTCS.

**Professional Activities**: Professional organization membership, campus committee membership, awards and recognition, etc.

**Assistant to Associate Professor – Technical Colleges**

**Performance Effectiveness**: Must be rated as Very Good
The portfolio would include appropriate and sufficient documentation from the following required components to support the promotion. The Campus Peer Review Committee (CPR) would review and determine if the criteria were met.

1. Student evaluations of instruction**
2. Personal (annual) evaluations
3. Course Syllabi, proof of varied teaching modalities
4. Professional development, **25 hrs. per year**
5. Advising***
6. Community Service and Institutional Service
7. Campus participation: i.e. Senate or college-wide committees
8. Awards and presentations, published articles, or presentations at conferences and workshops.

** Student course evaluations: faculty in correctional settings will have the student course evaluations completed by on-site administration.

***Advising: Non-occupational program faculty may submit materials which document collaborative or subject area information which supports the advising process.

**Education**: Bachelor’s or equivalent* with 18 semester hours in teaching or related field.

**Work Experience**: 2 years.

**Teaching Experience**: 6 years, 3 of which must be under KCTCS*.
*KCTCS teaching experience includes teaching in the technical (KY TECH) or community college system prior to the establishment of KCTCS.

**Recognized Leadership**: Must be evaluated as Very Good.
Local Senate committee officer or chair or major Senate committee, accreditation committee standard chair, officer in faculty council, attended leadership academy, representative to board of directors, student organization advisor, officer in professional organization.
Minimum Time in Previous Rank*: 3 years as Assistant Professor. Note: Faculty hired prior to academic year 2000-01 may also demonstrate that initial appointment criteria for Assistant Professor has been met to fulfill part of this three year requirement for the initial promotion in rank. (Thereafter, time in the promoted rank must be served.)

Associate Professor to Professor – Technical Colleges

Performance Effectiveness: Must be rated as Excellent. The portfolio would include appropriate and sufficient documentation from the following required components to support the promotion. The Campus Peer Review Committee (CPR) would review and determine if the criteria were met.

1. Student evaluations of instruction **
2. Personal (annual) evaluations
3. Course Syllabi, proof of varied teaching modalities
4. Professional development, **25 hrs. per year**
5. Advising***
6. Community Service and Institutional Service
7. Campus and System or District participation: local and system or state or national
8. Awards and recognitions or published articles or presentations at conferences and workshops
9. Professional memberships

** Student course evaluations: faculty in correctional settings will have the student course evaluations completed by on-site administration.

***Advising: Non-occupational program faculty may submit materials which document collaborative or subject area information which supports the advising process

Education: Bachelor’s degree required plus Master’s degree or Master’s equivalent* in teaching or related field.

*Equivalent of a master’s degree is defined as:
1. Any combination of graduate education and teaching experience above the required ten years.
2. Two years of additional teaching experience equals 15 graduate credit hours.
3. Two years teaching experience equals one year of education with a maximum of four years teaching experience substituting for two years of education.

Work Experience*: 2 years.

Teaching Experience: 10 years, 6 of which must be under KCTCS*.
*KCTCS teaching experience includes teaching in the technical (KY TECH) or community college system prior to the establishment of KCTCS.

System/District Leadership: Must be evaluated as Excellent.
Minimum Time in Previous Rank*: 6 years as Associate Professor. 
Note: Faculty hired prior to academic year 2000-01 may also demonstrate that initial appointment criteria for Associate Professor has been met to fulfill part of this six year requirement for the initial promotion in rank. (Thereafter, time in the promoted rank must be served.)

Related Information: COE/SACS Requirements for AAS/AAT Degree Programs and Courses

A. COE Requirements: *(COE Handbook, p.51, B)*
   4. Faculty members who teach general education courses in Associate Degree programs hold a minimum of a Bachelor’s degree with 15 hours or 23 quarter hours in the teaching discipline. (In exceptional cases, evidence of outstanding professional experience or creative achievement in the field may be considered in lieu of formal academic requirements.)
   5. Faculty members who teach in technical areas of associate degree programs hold a minimum of an Associate Degree. (In exceptional cases, evidence of outstanding experience and skills in the technical field may be considered in lieu of formal academic requirements.)

B. SACS Requirements: *(Criteria, pp. 43-44)*
Each full-time and part-time faculty member teaching courses in professional, occupational and technical areas other than physical activities courses that are components of associate degree programs designed for college transfer, or from which substantial numbers of students transfer to senior institutions, must have completed at least 18 graduate hours in the teaching discipline and hold a master’s degree, or hold the minimum of the master’s degree with a major in the teaching discipline.

In exceptional cases, outstanding professional experience and demonstrated contributions to the teaching discipline may be presented in lieu of formal academic preparation for faculty members teaching both transfer and non-transfer courses in these areas. Such cases must be justified by the institution on an individual basis.

C. Other Regulating Bodies:
Where other regulating bodies or accrediting agencies are a factor, those criteria must be met. (ex. Allied Health, Nursing)

D. KCTCS Policy on Collaborative Program Development:
Kentucky Community and Technical College (KCTCS) collaborative program development processes shall meet criteria specified by the accrediting bodies of the respective community and technical colleges and any required programmatic standards. *(Board of Regents Policy 4.12, approved 9/16/98)*

For collaborative programs, faculty must meet both SACS/COE requirements or document an exception.
2.2 Emeritus Status for College Presidents

Emeritus status is an honor bestowed for distinguished institutional service. This administrative policy is intended to recognize the distinguished contributions of a college president upon retirement, if the following conditions have been fulfilled.

A college president who retires with a minimum of twelve (12) consecutive years of full-time service as college president at one college in the Kentucky Community and Technical College System may be eligible for designation as College President Emeritus. Such designation shall not entitle the nominee to any salary or benefits from KCTCS. College President Emeritus is an honorary title.

The College Board of Directors may nominate a retiring or retired college president for emeritus status within the nine months prior to or following the president’s effective date of retirement. At a minimum and with specific examples, the nomination shall address the following criteria:

- Long-term record of professional experience.
- Meritorious professional growth.
- Other significant contributions to college programs or initiatives or to the college’s community.

The KCTCS President shall review nominations for emeritus status to determine whether nominees meet the appropriate criteria. Upon successful review, the KCTCS President shall notify the System Director of Human Resources of the approved emeritus status for inclusion in the quarterly Board of Regents Personnel Actions.
2.3  KCTCS Faculty Search / Appointment / Orientation

It is the aim of the Kentucky Community and Technical College System colleges to recruit and select outstanding faculty members in support of the KCTCS vision to create, a comprehensive community and technical college system recognized as the nation’s best.

The college president/ceo or designee is responsible for all college appointments including the appointment of search committees, the appointment of faculty members, and the conducting of the faculty orientation process. The college president/ceo is responsible for developing the procedures that adhere to the policies of the KCTCS Board of Regents regarding employment.

2.3.1.  Faculty Recruitment and Search for Faculty

Prior to advertising of a faculty position, a chief academic officer or designee, in collaboration with the appropriate academic unit, must assure that:

Position Description and Identification

A. A vacant position is identified and authorized subject to availability of funds.

B. The current essential functions of the position are properly described and documented, including minimum requirements, preferred skills and experience, and any required and/or preferred licensures and/or certifications.

Position Advertisement and Recruitment

C. The college Director of Human Resources or designee, in conjunction with KCTCS Diversity Programs and/or KCTCS Employment is responsible for using appropriate recruitment methods that secure a quality candidate pool. Increased recruitment emphasis should be implemented to obtain a representative pool. A list of recommended advertising media may be obtained from KCTCS Employment. EEO guidelines will be followed.

D. The position vacancy is advertised, including the minimum requirements, current essential functions, and required and/or preferred licensures and/or certifications. An Equal Employment Opportunity statement must be included in the advertisement.

Advisory Search Committee Formation

E. The responsibility for recruiting faculty members is entrusted to the college president/ceo in consultation with a faculty advisory search committee appointed by the college president/ceo or designee and appropriate
administrators. Search committees are normally comprised of the designated administrative official responsible at the applicable college, the appropriate division chairperson, and faculty members representing the academic unit in which the appointment is to be made and outside the academic unit in which the appointment is to be made. The search committee chairperson may be elected by the committee or appointed by the college president/ceo, or designee as determined by the college president/ceo.

Responsibilities of the Search Committee Chairperson

F. The chairperson is responsible for communicating the committee’s official charge to committee members as soon as is reasonably possible after completion of the search committee formation and appointment or election of the chairperson. The committee charge is signed/approved by the college president/ceo, or designee, and assists in the determination of the interview and selection criteria for the position. The chairperson of the search committee is required to keep the president/ceo, or designee, of the college informed about the progress of the search. The chairperson is also responsible for appropriately informing the faculty of the applicable college about the status of the search process.

The chairperson works closely with the college Director of Human Resources, or designee, to set up (an) organizational meeting(s) and deliver search committee guidelines and materials to committee members in addition to arranging candidate interviews and completing necessary documentation for the committee.

Candidate Screening and Interviewing

G. An advisory search committee’s selection criteria for the vacancy are properly established in consultation with the college Director of Human Resources or college president/ceo’s designee, and the screening and interviewing processes are implemented.

H. Employment and personal history inquiries are conducted according to hiring procedures specified in KCTCS Policy 2.18 as well as search committee procedures;

I. Generally, three (3) or more candidates are recommended by the Advisory Search Committee for an interview, based on their meeting or exceeding the established criteria and position requirements;

J. Of the selected interviewees, the finalists are selected to be interviewed by the college president/ceo or designee.
K. Recommendations for appointment are made by the Advisory Search Committee to the college president/ceo, or designee. The college president/ceo’s reviews the committee’s recommendation and determines if an employment offer will be extended.

L. If the employment offer is not accepted, the college president/ceo, or designee, may extend an offer to another candidate, continue, or terminate the search.

M. Either before or at the time of interview of an individual for an appointment to the faculty, the college president/ceo, or designee shall inform the individual about the parts of Kentucky Community and Technical College System Policies dealing with appointment, promotion, and tenure and shall provide access to these policies as requested.

N. In the event that no recommendation is made, the search may be re-opened or terminated at the discretion of the college president/ceo.

2.3.1.1 Open Meetings Law

Search committees for chief administrative officers are subject to the open meetings law in Kentucky. Faculty Advisory Search Committees that are established or appointed by a college at the division level to screen, interview, and make recommendations regarding appointment of individual faculty members, however, are not subject to the law. (See Attorney General Opinion 94-25.) Additional information regarding the scope and application of the open meetings law is available from the KCTCS office of the General Counsel.

2.3.2 Faculty Appointment and Assignment Periods

Faculty are normally assigned on a 10-, 11-, or 12-month basis dependent upon program and curriculum needs and as allowed under their respective personnel system. Tenured faculty members are on continuous appointment. Non-tenured faculty members are appointed for part or all of a fiscal year basis (July 1 - June 30). Assignments of regular status faculty members, however, shall be on nine-month (academic year), ten-month, eleven-month, or twelve-month basis within a fiscal year dependent upon program and curriculum needs. However full-time faculty covered under the administrative regulations effective on June 30, 1998 for KRS Chapter 151B are employed only on a 12-month basis.

Faculty members employed on a nine-month (academic year) assignment basis normally shall be available for participation in academic activities from August 16 through May 15. There is no entitlement to vacation during this period. Faculty members employed on a nine-month assignment basis may be permitted to engage in a KCTCS temporary assignment during an interim between regular assignment periods to a maximum extent
of three (3) months or sixty-six (66) working days per year. Daily or monthly compensation for full-time KCTCS employment during such an interim shall not exceed 1/195 or 1/9, respectively, of an individual’s regular nine-month assignment period salary for the fiscal year in which the activity occurs.

Faculty members employed through a ten-month assignment basis shall be normally available for participation in academic activities from August 1 through May 31, or during any other ten-month period, which has been established after consultation with the affected faculty members, and approved by the Chancellor. All regular status full-time faculty members on a ten-month assignment basis shall be entitled to twenty-two (22) working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Vacation leave normally cannot be accumulated from one assignment prior to another; however, under unusual circumstances, provided it is in the best interest of the Kentucky Community and Technical College System and has advance approval by the college president/ceo, a faculty member employed on a ten-month assignment basis also may take unused vacation leave during the assignment period following that in which the leave was earned. Faculty members employed on a regular ten-month basis may be permitted to engage in a Kentucky Community and Technical College System temporary assignment during an interim between regular assignment periods to a maximum extent of two (2) months or forty-four (44) working days per year. Daily or monthly compensation for full-time Kentucky Community and Technical College System employment during such an interim shall not exceed 1/217 or 1/10, respectively, of an individual’s regular ten-month assignment period salary for the fiscal year in which the activity occurs.

Faculty members employed on an eleven-month assignment basis shall be normally available for participation in academic activities from August 1 through June 30, or during any other eleven-month period, which has been established after consultation with the affected faculty members and approved by the Chancellor. All regular status full-time faculty members on an eleven-month assignment basis shall be entitled to twenty-two (22) working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Vacation leave normally cannot be accumulated from one assignment period to another; however, under unusual circumstances, provided it is in the best interest of the Kentucky Community and Technical College System and has advance approval by the college president/ceo, a faculty member employed on an eleven-month assignment basis may
take unused vacation leave during the assignment period following that in which the
leave was earned. A faculty member employed on an eleven-month assignment basis
may be permitted to engage in a Kentucky Community and Technical College System
temporary assignment during an interim between regular assignment periods to a
maximum extent of one (1) month or twenty-two (22) working days per year. Daily or
monthly compensation for full-time Kentucky Community and Technical College System
employment during such an interim shall not exceed 1/238 or 1/11, respectively, of an
individual’s regular eleven-month assignment period salary for the fiscal year in which
the activity occurs.

A faculty member employed on a nine-month, ten-month, or eleven-month assignment
basis shall not engage in two (2) or more Kentucky Community and Technical College
System assignments during an interim between two (2) regular assignment periods unless
a request for such has been forwarded through the college president/ceo and approved in
advance by the Chancellor. For any such request which is approved, an individual’s total
compensation from all types of Kentucky Community and Technical College System
assignments during such an interim shall not exceed the maximum compensation
permitted in the absence of summer session teaching.

Faculty members employed on a twelve-month assignment basis shall be normally
available for participation in academic activities from July 1 through June 30. All regular
status full-time faculty members on a twelve-month assignment basis shall be entitled to
twenty-two (22) working days of vacation leave with pay per assignment period, unless
otherwise specified in the rules of their respective personnel system. With prior
administrative approval, faculty members may take vacation leave at appropriate times
during the period in which they are eligible to take such leave; however, each member of
the teaching faculty shall be in actual attendance at least until after Commencement, and
until all reports have been made, and at least three (3) days prior to the first day of
registration for the fall semester, unless for special reasons leave is approved. Faculty
members employed on a twelve-month assignment basis may take vacation leave either
during the assignment period in which the vacation leave is earned or during the
subsequent assignment period if allowed under their respective personnel system.

Temporary status faculty members on full-time assignment are entitled to the same
holiday leave granted to regular faculty members, are not entitled to vacation leave, and
are not entitled to compensation for unused holiday leave.

2.3.3 Orientation

1. At the time a contract is issued, an individual should be informed of
general items regarding criteria for academic rank by the unit
administrator, if applicable.

2. The college president/ceo or designee shall inform each new faculty
member (within one (1) month of the beginning of employment) of the
existence and locations of the following documents:
The Kentucky Community and Technical College System Policies dealing with appointment, promotion and tenure;

b. The Rules of the Senate;

c. The Rules and Bylaws of the Faculty of the college hiring the new employee;

d. The rules and procedures of the new employee's division; and

e. Student Rights and Responsibilities.

Access to any of these documents shall be provided by the college president/ceo or designee as requested.

All applicable federal, state, and local laws, as well as applicable KCTCS policies and procedures for hiring and appointments, must be followed.
2.4 KCTCS Personnel Records

Each college and the System Human Resources Office, as applicable, shall maintain a personnel file on employees for the purpose of review as appropriate. The System Human Resources Office shall maintain the official file for active employees. The college president shall designate a custodian to maintain an official file for active college employees.

Colleges are responsible for keeping a file for their active college employees. The System Human Resources Office is the official repository for employee files. After a period of inactivity of not less than two (2) academic years, the inactive files are to be transferred to the Kentucky Community and Technical College System Human Resources Office for archiving. Records may not be removed or destroyed except in accordance with applicable state laws.

The types of documents maintained and retained in the personnel files may include, but are not limited to:

1. Application for Employment;
2. Résumés or Curriculum Vitae;
3. Payroll activation and authorization records;
4. Vacation and temporary disability records (which should be forwarded by the department/division as completed), excluding records which include medical information;
5. Emergency contact form;
6. Performance Evaluations and related documentation, along with copies of performance reviews, including the performance review agreement and professional development plan;
7. Disciplinary Records, Consultation Reports, and other related documentation;
8. Separation Sheets;
9. Diplomas, certificates, training records, official credentials including a current official transcript, and related documentation regarding personal accomplishments;
10. All official correspondence between the unit administrator and employee concerning appointment or status, including employment contracts;
11. Copies of publications and published reviews or letters concerning publications and/or copies of materials relating to creative productivity;
12. Equal opportunity compliance forms;
13. Salary and fringe benefits data; and
14. Any additional information that the employee wishes to place in this file that pertains to the employee’s professional background or accomplishments.
2.4.1 Responsibility for Faculty Personnel Records

Because all considerations of promotion (and tenure, where applicable) require thorough documentation of the faculty member's record of pertinent activities in the Kentucky Community and Technical College System, as well as the relevant actions involving the individual's faculty status, the college president and the individual faculty member shall jointly ensure that the personnel file includes current documents that relate to credentials and performance.

It shall be the responsibility of the faculty member to provide official credentials (i.e., curriculum vitae and transcripts) and the college president's office to provide faculty performance reviews and evaluations, performance review agreements, and the professional development plan for the faculty member's file.

Kentucky Revised Statutes 61.878 has been amended to provide that any employee may inspect and copy any record relating to that employee. Thus, writers of judgments which will be included in appointment, promotion, and/or tenure decisions should not be given assurances of confidentiality.
2.4.2 Enterprise Content Management (ECM) System Document Imaging and Capture

In preparing records for imaging, it is important to ensure the chain of custody for the hard copy records is maintained in accordance with the standard operating procedures for the functional unit so, the accuracy of records can be preserved. The processes adopted in this policy and related procedures are designed to ensure the documents captured are a true copy of the original document. This process documents a chain of evidence to ensure that the hard copy and electronic copy are the same.

Each KCTCS College will adopt a policy incorporating the processes/procedures included in this administrative policy.

2.4.2.1 Responsibilities and Processes

For records to be imaged, the employee receiving documents has ownership of the records on behalf of KCTCS until they are delivered to an employee (or approved vendor) responsible for imaging. When records are delivered to an employee (or approved vendor) responsible for imaging, ownership of the records is then transferred to the receiving employee or approved vendor. The receiving party is responsible for the safekeeping of the eye readable record throughout the scanning and quality assurance process. Following the imaging and quality assurance process, the documents may be transferred to another KCTCS employee that is responsible for the documents until destruction of the records. KCTCS will maintain a training guide for each application of the ECM system, which outlines the document capture process and procedures.

A. Quality Assurance (QA) Process

Quality assurance begins when documents are identified as something that needs to be placed in the ECM system and document preparation starts through disposition after the documents have been placed in OnBase.

Employees must be fully knowledgeable of the KCTCS scanning process and records retention process to ensure the most accurate end-results. To successfully manage the documents being placed in OnBase it is essential that shortcuts are not taken through the process. All steps (regardless of the repetition or minute nature of the step) must be done to ensure accurate results. ECM system users will be trained using the established procedures included in the training guide for the appropriate functional area.

KCTCS has identified the following basic quality assurance processes:

- Have one employee scan and a second employee review and verify the quality and content of the image before submitting to OnBase.
• Using the holding queue, an employee scans the documents, and then reviews and verifies at another time. This should be done the following day, to allow an ample amount of time between scanning and the review/verification process.
• In either of these QA processes, users need to use document preparation and QA processes.

The illustration below steps through the gathering of documents through the placement in OnBase and verifying of imaging and indexing to the disposition of the documents.

B. Transcript Capture

Transcript imaging processes will be managed in the following manner:
• All official transcripts received electronically from institutions via email will include a statement of authenticity that will be included in the employee or student records stored in the ECM system.
• Official transcripts received from institutions by regular mail, will include a statement of authenticity that will be included in the employee or student records stored in the ECM system.
• KCTCS will utilize the American Association of Collegiate Registrars and Admissions Officers (AACRAO) guidelines for determining transcripts authenticity.

C. Destruction of Records

Hard copy records captured in the ECM system will be destroyed in accordance with the requirements established by the Kentucky Department for Libraries and Archives (KDLA). For permanent records, KCTCS will petition the Director of the Public Records Division with the KDLA for approval of an exception to maintain eye readable copies in accordance with their policies and procedures. KDLA approved an exception for the Student Academic Performance File in November 2013 and additional petitions will be made as needed. For nonpermanent records, KCTCS will follow the same quality assurance processes as for permanent records.

7-8-14 Date Approved by President, KCTCS  
Date(s) of Last Review  
Date(s) of Last Revision  
(Include all dates in chronological order)

(SIGNED) 7-8-14  (SIGNED) 7-8-14
Recommended by Date
President, KCTCS Date
2.5 KCTCS Performance Review

KCTCS has a system-wide standardized process of annual performance review for regular full-time KCTCS faculty and staff. The performance review process includes the following reviews:

- a regular process for performance evaluation, and
- an additional, optional process of evaluation of significant accomplishments for determination of eligibility for a merit bonus.

The purpose of the annual performance review is to set forth job expectations and corresponding goals, to measure individual performance related to goals, to achieve individual employee improvement through constructive feedback, and to achieve organizational improvement.

The annual performance review cycle corresponds with the fiscal and academic years from July 1 through June 30 of each year, and consists of the following:

- Planning Process for current and new employees
- Initial Employment Period Evaluation for new employees
- Optional Mid-year Review
- Annual Performance Evaluation for regular full-time and regular part-time employees.

The annual performance review cycle includes deadlines for each step to occur no later than on or before the last working day of the following dates:

- **May-August** – Supervisors shall conduct the performance evaluation Planning Process by meeting with employees to establish performance evaluation goals and optional significant accomplishment goals for the upcoming fiscal year. The planning process for new employees and employees who change positions shall be completed within one month of their employment/change in position.

- **August 31** – Supervisors shall conduct the planning process and submit the completed performance evaluation planning document and the optional significant accomplishment planning document to the college president/ceo or designee.

- **December/January** – Supervisors shall conduct the optional Mid-Year Progress Report/meeting with employees, at the discretion of supervisors and/or the college president/ceo.

- **February** – Supervisors shall conduct the annual performance evaluation by the supervisor for faculty promotion candidates.
• **May 15** – Supervisors shall complete the annual performance evaluation by the supervisor excluding the evaluations of faculty promotion candidates), including conducting the evaluation meeting with the employee.

• **June 7** – Parties of the local review process shall review employee outcomes related to goals for significant accomplishments and make an approval determination regarding eligibility for merit bonuses; college officials shall submit completed PPE forms to the KCTCS Human Resources office.

• **June 30** – Nonrecurring merit bonuses are awarded.

**Note**: Within 6 months of the initial employment of new employees, supervisors shall conduct the Initial Employment Period performance evaluation.

Performance planning and evaluation shall also be addressed in accordance with applicable KCTCS policies and human resources procedure(s) related to performance evaluation.

### 2.5.1 Performance Planning and Evaluation

As part of a continuing program of improvement and growth both in the instructional and non-instructional areas, KCTCS utilizes a periodic performance review for all regular full-time faculty and staff. The Performance Planning and Evaluation (“PPE”) process is used to establish annual individual goals and to report outcomes.

KCTCS evaluations shall designate individual duties, goals, and outcomes in the following areas:

- Position Responsibilities (including instruction and student guidance/advising activities for faculty),
- Internal Service – institutional service,
- External Service – community service,
- Professional Development activities, and
- Educational Leadership/Leadership.

The particular areas in which an individual employee is active and therefore is to be evaluated is dependent upon the employee’s individual position and job duties as determined by college/system priorities. All five areas may not apply to all employees.

The KCTCS Performance Planning and Evaluation Program form shall be completed in performing the evaluation by the immediate supervisor, chief academic officer, division chairperson, and the faculty member. To serve this purpose, input from students, colleagues and administrators are to be used as applicable. In the assessment of teaching and advising, student appraisal is to be included for at least one (1) semester each year.
The purpose of performance review is individual and institutional improvement. To help in achieving this purpose, the performance review process shall determine, for each faculty member, both a quantitative assessment and a qualitative judgment of the faculty member's activities during the review period in the areas as outlined in the individual's KCTCS PPE form.

2.5.1.1 Criteria for Evaluation of Faculty for Appointment and Promotion; Criteria for Evaluation of Staff

In addition, the following areas of activity are considered in the annual, optional mid-year, and initial employment period evaluations, as well as for faculty in the appointment and promotion processes.

Since all faculty appointments and promotions shall be made on the basis of performance, a detailed statement on each of these areas shall serve as a guide to promotion review committees evaluating the expectations and accomplishments of a faculty member.

2.5.1.1.1 Position Responsibilities

A. Faculty Position Responsibilities

Faculty Instruction

The primary function of a faculty member in a KCTCS college is to provide instruction of superior quality. Superior teaching is recognized as a distinct value and must be used as evidence for appointment and promotion of faculty. Objective evidence of the quality of teaching must be obtained and considered. Such evidence shall consist of reports by colleagues, evaluation by students, and, if available, evaluation by graduates of the KCTCS college. Evidence of superior teaching also can be demonstrated by competence in the following:

1. Course objectives that are clearly defined. The relationship to prerequisites and courses which follow should be well conceived, and the relationship of the course to the field of study in general should be articulated.

2. The organization of the course is in the form of an outline and assignments reflect a logical and imaginative approach to the subject.

3. The course content is kept up to date and is consistent with the level at which the course is offered in the curriculum.

A faculty member establishes the proper level of instruction in the course. The capacity and background of the students are not irrelevant in this regard, but the objectives of the course and its usefulness in preparing
students for more advanced work are not compromised. The level of instruction does not make undue concessions to the limitations of students, but is not so advanced that if not comprehended the course fails to fulfill its purpose.

4. The faculty member is aware of and, where appropriate, uses newer educational media in teaching, including e-learning or “blended” instruction.

5. The faculty member teaches in such a manner that the students work to the level of their abilities, i.e., enrichment of opportunity for students to achieve at significantly different levels.

6. The faculty member is skillful in evaluating student progress. The faculty member also has the ability to devise and use valid instruments for evaluation which are pertinent to the learning experiences provided by the course.

7. The faculty member is effective in presentation and interpretation of subject matter. Effective techniques of instruction vary with individuals but certain standards of performance have general applicability.

   a. The faculty member is poised and always in command of self and the classroom situation;

   b. The faculty member's presentations are always organized in a manner conducive to learning and always reflect thorough preparation;

   c. The faculty member's manner of presentation and substance of presentation holds the attention and interest of students;

   d. The faculty member establishes a rapport with the class that is conducive to sustained and enthusiastic pursuit of the subject;

   e. The faculty member gains the respect of students for knowledge of the subject and ability to communicate and stimulate interest in the subject; and

   f. The faculty member establishes a reputation as a teacher who is fair and thorough in evaluation and as a person who is interested in the progress of students.

8. The faculty member carries an appropriate share of the total instructional load of a division or department in a KCTCS college and contributes to
the maintenance of a vigorous tone in the division's or department's instructional program.

a. There is both a quantitative, and a qualitative, dimension to instruction. Consideration is given to a person who teaches a variety of courses, or to the faculty member who can teach effectively a large number of students;

b. The positive tone of an instructional program is obviously an intangible property. A poor tone, however, is easy to discern; disinterested students, lack of rapport between the faculty member and students, and casual presentations in class are some of the more apparent characteristics. A most telling indication of "tone" is an atmosphere in which the student feels that the instructor and the student are working together on the problem, as contrasted to an atmosphere in which there is a cold war tension between the two parties; and

c. The faculty member has the respect of colleagues as a teacher.

Faculty Student Guidance-Advising Activities

KCTCS colleges strive to project a student-centered image by emphasizing, as one of their functions, the comprehensive attempt to meet the needs of students who vary widely in academic potential and academic interest. Academic advising is a more important function in KCTCS colleges than in four-year institutions due to the heterogeneity of the student body, the variety and complexity of decisions which the students must make, and the need for developmental programs to prepare students for collegiate work.

1. Faculty members are concerned with the opportunities to serve as advisers to students. For effective contributions as a student adviser the faculty member:

a. Demonstrates an interest in working with students as an adviser;

b. Demonstrates the ability to deal effectively with students in a one-to-one relationship;

c. Demonstrates a willingness to learn the fundamentals of advising responsibility;

d. Has the knowledge and ability to refer students to other resource persons in finding solutions to specific problems; and
e. Develops a rapport with students which leads them to seek counsel and advisement.

2. Faculty members in KCTCS colleges have responsibility for extending the teacher-student relationship beyond the classroom in a way that is conducive to the maturing of the intellect and emotions of the student. This responsibility involves more than formal advising.

B. Staff Position Responsibilities

Staff shall be evaluated based on their assigned responsibilities, including those applicable duties specified in the job specification for their position and based on the job analysis questionnaire and additional duties assigned by the supervisor.

2.5.1.1.2 Internal Service – Institutional Service

The demonstration and evaluation of employees’ institutional service shall be based upon evidence of effective participation in college activities appropriate to the growth and viability of the institution and educational programs therein. Activities include, but are not limited to, committee involvement, workshop facilitation, continuing education instruction, development of new program proposals, program accreditation efforts, recruitment and marketing, grant proposal preparation, and mentoring of new faculty.

2.5.1.1.3 External Service - Community Service

KCTCS colleges have responsibility for service across the broad spectrum of the community to meet those needs not met by formal degree programs. Some staff members and most faculty members in a KCTCS college share this responsibility, and it is recognized that while the specific roles and responsibilities of individual faculty members in this area shall vary, community service shall be reflected in the overall responsibility (as noted on the performance planning and evaluation form) and evaluation of an employee’s contribution to the college.

Community service might include planning or directing such activities as:

1. Serving on community boards, foundations, committees, commissions;
2. Workshop facilitation;
3. Continuing education or customized industry courses;
4. Forums and community meetings;
5. Delivering lectures or seminars;
6. Arranging fine arts events, cultural events and recreational events;
7. Professional assistance; and
8. Working with K-12 schools.

2.5.1.1.4 Professional Development Activities

The demonstration and evaluation of the professional activities and service shall be based upon evidence of professional growth and development in areas of primary responsibility.

2.5.1.1.5 Educational Leadership/Leadership

The demonstration and evaluation of the educational leadership and service of a faculty or leadership of a staff member shall be based upon evidence of effective participation in activities appropriate to the formation of educational policy and organization, effective performance of supervisory and/or administrative duties where applicable, and recognition of educational leadership.

2.5.1.2 Standardized Performance Planning and Evaluation Form

The standardized KCTCS performance planning and evaluation form shall be used for reporting the employee’s performance for the rating period. This form shall include the following:

- space for written evaluations of each area,
- a legend explaining the descriptive rating categories for the overall official performance evaluation rating,
- space for an overall written evaluation and recommendations for improvement, and
- spaces for the signatures of the employee, the supervisor, and the reviewer.

Copies of the signed completed form shall be made available to the employee, for the files of the division chairperson and the chief academic officer (for faculty), and for the employee personnel file which are maintained by the college president/ceo. The original completed form shall be maintained by the KCTCS Human Resources office.
2.5.1.2.1 Descriptive Performance Rating Categories

The following five (5) descriptive performance rating categories shall be used for the overall official evaluation:

1. **Consistently Exceeded Expectations of Job Requirements (EE)**
   Job performance was continuously performed in an exceptional manner. Contributions significantly and consistently exceeded expectations and requirements based on established success criteria, with exceptional quality, quantity and timeliness of work. Consistently achieved outstanding results well beyond those expected of the position, and helped accomplish the KCTCS strategic plan by aligning action plans with the strategic goals.

2. **Met and Frequently Exceeded Job Requirements (ME)**
   Job performance consistently met and frequently exceeded the expectations and requirements for the position based on established success criteria. Contributions consistently met and frequently exceeded expected criteria for quality, quantity and timeliness of work. Frequently achieved results beyond those expected for the position and helped accomplish the KCTCS strategic plan by aligning action plans with the strategic goals.

3. **Fully Met Job Requirements (M)**
   Job performance consistently met the expectations and requirements for the position based on established success criteria. Contributions occasionally exceeded expected criteria for quality, quantity and timeliness of work and helped accomplish the KCTCS strategic plan by aligning action plans with the strategic goals.

4. **Some Improvement Needed to Meet Job Requirements (NI)**
   Certain job duties were performed capably; however, improvement in quality, quantity and/or timeliness of work is required in order to fully meet expectations and requirements for the position based on established success criteria.

   A Performance Improvement Plan may be developed by the supervisor to facilitate improvement by the employee. Performance shall be evaluated again in six months. Significant and immediate improvement in quality, quantity, and timeliness of work is necessary in order to avoid disciplinary action and/or termination of employment in accordance with KCTCS policies and procedures regarding employee termination and disciplinary action.
5. **Did Not Meet Job Requirements (F)**

Performance throughout the rating period did not meet the job requirements and expectations for the position based upon established success criteria. A Performance Improvement Plan shall be immediately developed by the supervisor to facilitate improvement by the employee. Performance shall be re-evaluated based on the Performance Improvement Plan and the evaluation goals in at least three months, in six months, and again thereafter if determined necessary. Significant and immediate improvement in quality, quantity and timeliness of work is necessary in order to avoid disciplinary action and/or termination of employment in accordance with KCTCS policies and procedures regarding employee termination and disciplinary action.

### 2.5.1.3 Performance Planning and Evaluation Process

**Planning Process**

During the planning process the supervisor and employee shall work jointly to identify specific position duties and activities for the employee’s performance plan using the PPE form as the planning document(s). For staff employees these duties and activities shall normally correspond with the duties listed on the employees’ job specification and job analysis questionnaire. The planning process for the ensuing academic year shall be completed by August 31. The distribution of effort of faculty members shall be determined during the planning process.

When there is a significant change in position duties or an employee makes a change in position during the course of a performance year, a revised planning document shall be prepared.

The planning process for new employees and employees who change positions shall be completed within one month of employment/change in position.

For faculty, the chief academic officer, with the advice of the division chairperson and faculty members of that unit, shall recommend the distribution of the faculty effort and other resources among the major functions for the ensuing year, taking into account instructional needs, indicated enrollment trends, potential resources available, and any other relevant indicators. This recommendation on distribution of effort for each division shall be forwarded to and discussed with the college president/ceo, and agreement reached on distribution of effort within the college or division or department. In any case of disagreement that is not readily resolved, the decision of the college president/ceo shall be final. Following these discussions, the chief academic officer and/or division chairperson shall formalize with each faculty member an agreement on the distribution of effort expected of each faculty member in each major function for the upcoming academic year.
The evaluation reviewer shall review the proposed planning document and approve it prior to it being finalized. The reviewer is normally the supervisor’s immediate supervisor, or another individual as designated by the college president/CEO.

Employees shall put their signatures on the completed planning documents (s), acknowledging their understanding of the planned duties/activities and the corresponding goals/results expected.

**Initial Employment Period Performance Evaluation**
Supervisors shall conduct two review meetings with their new employees during the course of the Initial Employment Period for the purpose of reviewing, providing feedback, and requesting input from new employees regarding their progress.

In addition, An Initial Employment Period performance evaluation for new employees shall be completed immediately prior to the end of the 6-month Initial Employment Period using the regular PPE form.

**Mid-year Review**
The mid-year review is an optional process to be conducted by supervisors with employees at the discretion of the college president/CEO or individual supervisors.

Supervisors shall conduct a mid-year review for individual employees who have work performance issues that need to be addressed.

**Annual Performance Evaluation Process**
Information assembled in the process of evaluating each faculty member should be utilized by the division chairperson, chief academic officer, or the college president/CEO in assisting the faculty member in a program of self-improvement in relation to the faculty member's anticipated responsibilities for the forthcoming year. After the completion of the performance review process, the chief academic officer (and other faculty or staff members) may also be involved in assisting the faculty member in a program of self-improvement.

The standard form shall provide opportunity for a written evaluation of performance in each active area that is listed on the PPE. Employees shall participate in identifying accomplishments related to their planned goals/results expected that were designated during the planning process. Supervisors shall be responsible for designating performance outcomes related to each activity listed on the PPE form during the planning process.

The standard form shall provide a space for a written overall evaluation of performance and recommendations for improvement. A written overall evaluation is required.
Recommendations for improvement are required on the evaluation form as determined by the supervisor. Specific activities which would help the employee improve performance should be listed.

Employees shall put their signature on the completed evaluation document(s), acknowledging that the evaluation information was communicated to them.

A. Faculty Evaluation Process

Division Chairperson’s Role

The division chairperson, using the various inputs described above, shall make a recommendation to the chief academic affairs officer regarding the evaluation of each faculty member in the division using the PPE form. In the overall performance rating process, the division chairperson and the chief academic officer (and the college president/ceo) select the evaluation rating category which best describes the judgment about the faculty member's overall performance. While relative weighting among any and all of the activities of a faculty member shall be based on the PPE form, the determination of an overall judgment of performance shall not be mathematically based on weighting of PPE form categories or numerical ratings. A summative judgment is made taking into consideration the goals and expectations specified on the PPE form during the planning process, unique opportunities pursued, quantity and quality of efforts made, and significance of the faculty member's overall contribution to meeting the goals of the division or department, the college, and KCTCS.

The chief academic officer shall review the evaluation completed by the division chair and recommend an evaluation category to the college president/ceo. After approval of the evaluation by the college president/ceo, the division chairperson and/or chief academic officer shall meet with each individual faculty member in the division or department. This meeting shall focus on the faculty member's performance in the effort reflected in the PPE form for the review period. The chief division chairperson and/or chief academic officer shall discuss the various inputs used, the written evaluations of the individual areas of the PPE form, the overall performance review rating, and any appropriate recommendations on how to improve performance in areas needing improvement. The official rating shall be communicated to the faculty member by the division chairperson and/or the chief academic officer during this meeting.

Chief Academic Officer’s Role

The chief academic officer shall review the evaluation form and completed by the division chairperson. The chief academic officer shall also use the various inputs and process described above in reviewing the recommendation.

The chief academic officer shall recommend an evaluation category to the college president/ceo. After approval by the college president/ceo, the chief academic officer,
along with or in lieu of the division chairperson, shall meet with each individual faculty member in the division or department to communicate the evaluation as described above.

**College President/CEO's Role**

The college president/ceo is responsible for the communication of the procedures to be used in the performance planning and evaluation to the college faculty and staff members prior to the beginning of each review process. Any supplemental evaluation forms (e.g., evaluations by students, customers, or peers) to be used by the college shall be developed by the college president/ceo, involving consultation with the appropriate faculty and staff. The college president/ceo shall review and finalize performance evaluations recommended by the chief academic officer. Where there are differences of opinion regarding a rating to be given, a conference shall then be held between the college president/ceo and the chief academic officer to discuss the rating of each individual and to attempt to resolve any differences in judgment. There shall be only one (1) official rating, that being assigned by the college president/ceo.

**B. Staff Evaluation Process**

For staff evaluations the evaluation reviewer shall review the proposed evaluation form and approve it prior to it being finalized.

The evaluator shall then conduct a meeting with the employee in which the completed PPE form is presented to the employee.

**2.5.1.3.1 Faculty Biennial Ratings**

The performance of faculty shall normally be reviewed annually.

However, at the discretion of the college president/ceo, faculty members with a faculty rank of Associate Professor or higher who were reviewed and rated in the middle category entitled "Fully Meets Job Requirements" during the first year of the biennium have the option to have the rating during the first year of the biennium apply for the second year of the biennium as well.

Also at the discretion of the college president/ceo, faculty members at a rank of Associate Professor or higher who receive one of the top two ratings during the first year of the biennium have the option of carrying forward the middle rating to the second year of the biennium, or being reviewed annually.

Faculty members at a rank of Associate Professor or higher who receive a rating below the middle rating during the first year of the biennium shall be reviewed during the second year of the biennium.
2.5.1.4 Evaluation Appeals

The faculty member shall be provided opportunities for appeal of a PPE rating at both the individual KCTCS college and the KCTCS System levels. After consultation with appropriate faculty member, each college president/ceo shall annually appoint a college Faculty Performance Review Appeals Committee to hear appeals made by a faculty member, who, after a conference with the college president/ceo, remains in disagreement with the rating received. After a hearing, the college Faculty Performance Review Appeals Committee shall make a recommendation to the college president/ceo, and the college president/ceo shall accept or reject the recommendation of the college Faculty Performance Review Appeals Committee and advise the faculty member of the decision. If the faculty member remains in disagreement with the decision, the faculty member may appeal to the KCTCS Chancellor for a hearing before a system Faculty Performance Review Committee appointed by the KCTCS Chancellor. The system Faculty Performance Review Committee shall meet in a central location to hear the appellant, the college president/ceo, and the division chairperson and/or chief academic officer. The system Faculty Performance Review Committee shall make a recommendation to the KCTCS Chancellor. The KCTCS Chancellor shall accept or reject the recommendation of the system Faculty Performance Review Committee, and advise the faculty member and the college president/ceo of the decision.

Staff who choose to appeal their evaluation rating shall do so through the KCTCS Complaint Resolution Procedure within the established provisions and specified timelines.

2.5.1.4.1 Evaluation Appeals Schedule

The faculty evaluation appeals schedule for the appeal of an assigned evaluation includes deadlines for each step to occur no later than on or the last working day before the following dates:

Faculty Promotion Candidates

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 31</td>
<td>Individual faculty appeals shall be submitted to the college president;</td>
</tr>
<tr>
<td>May 1</td>
<td>Appeals response from the college president shall be completed;</td>
</tr>
<tr>
<td>May 16</td>
<td>Faculty appeals shall be submitted to the KCTCS Chancellor; and</td>
</tr>
<tr>
<td>May 31</td>
<td>System appeals to the KCTCS Chancellor shall be processed.</td>
</tr>
</tbody>
</table>
Faculty Non-Promotion Candidates

May 31  Individual faculty appeals shall be submitted to the college president;

August 15  Appeals response from the college president shall be completed;

September 15  Faculty appeals shall be submitted to the KCTCS Chancellor; and

October 15  System appeals to the KCTCS Chancellor shall be processed.

The above schedules may be changed by the KCTCS Chancellor.

2.5.1.5 Evaluation Input/Outcome

Relevant input from students, colleagues, and administrators regarding faculty performance shall be used. If letters or written comments are submitted by colleagues, these documents must be signed by the individual(s) providing the information. In the assessment of teaching and advising, student evaluations are to be included for at least one (1) semester each year.

The quantitative data shall be provided at least once annually by the faculty member to the division chairperson/chief academic officer through the Academic Personnel Report, which shall cover activities, functions, and time. The distribution of effort, is designated in the quantitative data or through a substitute instrument approved by the KCTCS Chancellor.

The outcome of this process is both a comprehensive review of the performance of the individual faculty member and a plan of action for any needed improvements. At the end of the formal performance review process, the faculty member should have a good understanding of strengths and weaknesses in the areas of responsibility and of specific actions to take to make needed improvements.

A. Innovation and Experimentation

In those instances when the pedagogical techniques employed are planned and documented; are clearly innovative and exploratory in nature; and the effort of the faculty member is an initial one of experimentation, the impact of any negative student evaluation of teaching shall be minimized. In addition, other indications of effort to improve instruction, such as suitable uses of technology, self-examination, and innovative and experimental approaches shall be recognized.
B. Scholarship and Creative Work

Scholarship and creative work appropriate to the various fields are to be recognized in performance review.

C. Teamwork and Collaboration

Teamwork and collaboration appropriate to the various fields (such as interdisciplinary courses, continuing education/community service offerings, professional development, and so forth) are to be recognized in performance review.

2.5.1.6 English Language Assessment

In accordance with KRS 164.297(3), each college shall institute English language proficiency assessment for all faculty members, including teaching assistants, for whom English is not their primary language, except for the teaching of foreign language courses. The instructors shall be evaluated periodically to demonstrate their ability to deliver all lectures and oral presentations in an English speech pattern which the students understand. If a faculty member receives an unsatisfactory assessment, the faculty member shall have one (1) semester to demonstrate English language proficiency. If the faculty member receives a second unsatisfactory assessment, the faculty member’s employment shall be terminated.

2.5.1.7 Librarian Evaluation

Professional Librarians are evaluated under the same criteria as other ranked faculty as set forth in policy 2.5, as applicable. KCTCS colleges recognize that excellence in job performance is one of the most important attributes of a professional Librarian. The attributes and qualifications to be considered and documented in assessing job effectiveness must be related to the appropriate position and classification, and should include, but not necessarily be limited to, performing the following actions:

1. Assist with the planning, organization, and evaluation of library and information services;

2. Offer quality library and information services;

3. Instruct library users to access and evaluate information;

4. Remain informed on current trends for library and information services;

5. Participate in professional organizations and professional development opportunities;

6. Serve on assigned college and KCTCS committees; and
7. Meet professional standards and ethics that are in accordance with state regulatory statutes and/or the American Library Association (ALA) standards.

2.5.2 Evaluation of Significant Accomplishments

When funded, as determined by the KCTCS Board of Regents, KCTCS shall have a performance-based merit pay system with the goal of recognizing and rewarding outstanding employee performance. Furthermore, the expected outcome of a performance-based merit pay system is to maintain and improve overall employee performance.

The process for the determination of eligibility for merit bonuses shall be consistent throughout KCTCS. Merit bonuses shall be based on a two-tier process that includes both the performance planning and evaluation (PPE) and an additional systematic review process at the college level. This college level review shall incorporate the PPE overall evaluation relative to locally-developed criteria. The determination of merit bonus award recipients shall be based on an internal college review process to ensure consistency in the awarding of merit bonuses throughout the college.

Individual colleges and the system office shall develop standards to further define what constitutes significant accomplishments for their employees. These shall be developed with input from faculty and staff relative to the strategic plan goals for the college and system.

For faculty and staff the process of determining individual planned “significant accomplishments relative to KCTCS system-wide, or college goals” shall be an inclusive process based on meetings with their supervisor during the PPE planning process. This provides faculty and staff with the opportunity to provide input in defining the outcomes that shall constitute significant accomplishments and how they can contribute to achieving KCTCS or college strategic plan goals.

Merit bonuses are to be awarded to regular full-time faculty and staff who have been determined to have made significant accomplishments relative to KCTCS system-wide, or college goals as articulated through KCTCS or college strategic plans. Merit bonus award recipients shall have documentable significant accomplishments in one or more of the goals outlined in the KCTCS or college strategic plans.

Each college president/ceo shall submit the college’s written proposed systematic review process for merit bonus determination and criteria for significant accomplishments for an approval determination by the KCTCS President, in consultation with the KCTCS System Human Resources Office. Colleges shall award merit bonuses to those
employees who qualify for a merit bonus, in accordance with the college’s approved process. Candidates eligible for consideration for merit bonus shall be identified based on the following:

- Overall performance rating of “Consistently Exceeded Expectations of Job Requirements (EE)”;
- Overall performance rating of “Met and Frequently Exceeded Job Requirements (ME)”;
- Overall performance rating of “Excels (E)” on pilot three-point scale;
- Recommendations of the supervisor and evaluation reviewer;
- Predetermined criteria establishing “significant accomplishments relative to KCTCS or college strategic plan goals,” representing achievement of extraordinary contributions;
- Employee self-assessment of achievements; and
- Supervisor assessment of employee achievements.

Each college president/ceo shall establish a college review process to consider merit bonuses for faculty and staff who have been recommended for consideration by their immediate supervisor and PPE reviewer.
2.6 Promotion in Rank (All Eligible Faculty)

2.6.1 Definition of Faculty Eligible for Promotion in Rank

Faculty as defined in Board of Regents Policy 2.1.1 are eligible for promotion in rank with the exception of the rank of Lecturer.

2.6.2 Promotion in Rank Process (All Eligible Faculty)

Kentucky Community and Technical College System (KCTCS) colleges and their programs can be no greater than the quality and performance of their faculty members. The promotion procedures and criteria (criteria is found in Administrative Policy 2.1) offer minimum standards and requirements that should be exceeded in most, if not all, cases. These have been developed solely for the purpose of improving the comprehensive community and technical college programs by continually upgrading the quality and performance of faculty members.

In conducting procedures for appointment, promotion, granting of tenure (where applicable), and termination of appointment affecting faculty members not assigned to a division, the appropriate chief academic officer or student services officer shall handle those procedural steps which are assigned to a division chairperson.

The president/ceo of the college, after consultation with the appropriate division chairperson/director of library services and/or chief academic officer or chief student services officer, is responsible for initiating the promotion process by inviting a faculty member to prepare a vita and appropriate supporting materials. The invitation letter to the faculty member should be issued on or before May 31 with the portfolio format. With the assistance of the faculty member and the division chairperson, the president/ceo of the college is responsible for gathering supporting materials and submitting the promotion file.

The president/ceo of the college has the responsibility for ensuring that each promotion file is complete and contains the advice of the appropriate division chairperson, and six or more faculty letters, including at least all Associate and Professor division members located on the same campus. Faculty letters should be addressed and sent to the college president/ceo. The college president/ceo also has the responsibility, along with the division chairperson, for ensuring that the college president's/ceo’s recommendation includes remarks, if applicable, that one (1) or more of the letters of recommendation in a promotion file may be affected by personal bias. Each president/ceo of a college shall ensure that the College Advisory Committee on Promotion (CACP) reviews and advises on some or all recommendations to appoint or promote.

The college presidents/ceos are delegated authority to make appointments, reappointments, and terminal reappointments to the ranks of Instructor and Assistant
Professor without reference to the College Advisory Committee on Promotion (CAPC). These actions are reported by the college president/ceo to the Chancellor. Recommendations for appointment to the ranks of Associate Professor and Professor, with or without tenure, must be forwarded to the Chancellor.

The KCTCS Senate Advisory Committee on Promotion (KCTCS Senate ACP) will make its recommendation to the KCTCS President or designee, the Chancellor. The positive recommendation by the KCTCS President will be given final action by the Board of Regents.

Whenever a promotion is disapproved and stopped by the president/ceo, the Chancellor, or the KCTCS President, the faculty member will be informed in writing by the president/ceo of the college of the action taken. The KCTCS President or designee, the Chancellor, shall report the KCTCS Senate ACP’s recommendation and the decision to the college president/ceo in writing with reason(s) for the disapproval. The reason(s) for the disapproval shall be included in a written letter from the college president/ceo to the faculty member. A conference shall be called by the college president to discuss, informally, the disapproval and reason(s). The director of library services/division chairperson and/or chief academic officer or chief student services officer may be included in the discussion at the request of either the college president/ceo or the faculty member.

2.6.2.1 Promotion from Associate Professor to Professor

After review by the local College Advisory Committee on Promotion, the president/ceo of the college will make a recommendation, either affirmative or negative, in writing to the Chancellor as specified in annual promotion timelines.

Individuals being considered for the rank of Associate and Professor who have a negative recommendation from the college president/ceo will be notified by the president/ceo of that recommendation and, in the case of a Professor candidate, be given the opportunity to submit a promotion file directly to the KCTCS Senate ACP.

Those individuals with tenure, seeking the rank of Professor, who choose not to have their files reviewed by the KCTCS Senate ACP will thereby begin a new six (6) year period beginning July 1 of the year in which the choice is made.

Individuals for whom an affirmative recommendation is made by the college president/ceo and those who choose to have their file reviewed, even though there is a negative recommendation by the college president/ceo, will be considered for promotion in the usual manner.

Individuals being considered for promotion to either Associate Professor or Professor are expected to complete a promotion review notebook. The recommendations by the local
College Advisory Committee on Promotion on all promotions shall be signed by all members of the committee and the vote of the committee given.

2.6.2.2 Promotion from Assistant Professor to Associate Professor or Professor

Proposals for promotion to Associate Professor will follow the process described in Section 2.6.2. In each case, the president/ceo of the college will either approve the proposal and forward an affirmative recommendation to the Chancellor or disapprove and stop the proposal and then inform the faculty member in writing and also notify the appropriate chief academic officer or chief student services officer and the appropriate division chairperson/director of library services. When the Chancellor receives the promotion file containing the president's/ceo’s recommendation, the Chancellor will obtain a related recommendation from the KCTCS Senate Advisory Committee on Promotion (ACP) and then will either approve the proposal and forward an affirmative recommendation to the President of the KCTCS or disapprove and stop the proposal and notify the president/ceo of the college. When the President of KCTCS receives the Chancellor's recommendation, the President of KCTCS will either approve the proposal for promotion and make an affirmative recommendation to the Board of Regents for final action or disapprove and stop the proposal and inform the Chancellor who, in turn, will notify the president/ceo of the college of this action in writing with reason(s). In a case where the Board of Regents takes final action, the President of KCTCS, through the Chancellor, will inform the president/ceo of the college about the Board's action. The president/ceo of the college, in turn, will notify the faculty member in writing with reason(s) and also inform the chief academic officer or chief student services officer and the appropriate division chairperson/director of library services.

2.6.2.3 Promotion from Instructor to Assistant Professor

The president/ceo of the college has been delegated authority to approve or disapprove promotions from Instructor to Assistant Professor. An approved action will be communicated through the Chancellor to the President of KCTCS who will report it to the Board of Regents of KCTCS. In case of disapproval of such a promotion, the president/ceo of the college will inform the faculty member in writing and notify the chief academic officer or the chief student services officer and the division chairperson/director of library services.

Tenure Track: An individual shall not remain as an Instructor for more than three (3) years. If after that period promotion to a higher rank cannot be justified, the individual’s appointment shall not be renewed.
2.6.2.4 Failure to Support Administrative Action for Promotion

Whenever a recommendation to promote is disapproved by either the Chancellor or the President of KCTCS, this decision must be reported to the president/ceo of the college with supporting reasons in writing, and an opportunity provided for a thorough discussion among the concerned parties. The president/ceo of the college shall notify the faculty member in writing of the decision and shall include the reason(s). The president/ceo of the college will initiate the discussion with the faculty member. The director of library services/division chairperson, chief academic officer, and/or chief student services officer may be included in such a discussion at the request of the president/ceo of the college or the faculty member. Any related appeals through administrative channels and/or the KCTCS Senate Advisory Committee on Appeals (KCTCS Senate ACA) must be initiated in writing by the faculty member within thirty (30) days after being notified in writing by the president/ceo of the college of the decision to disapprove the recommendation to promote.

The faculty member’s appeal shall be in writing, shall be addressed to the Chancellor, and sent through the college president’s office. It shall state and explain the appeal under inadequate consideration and/or incomplete procedure. (See KCTCS administrative policies and procedures regarding faculty appeals through the KCTCS Senate Advisory Committee on Appeals.)

The KCTCS Senate ACA shall follow formal hearing appeal procedures developed by the committee.

2.6.2.5 Promotion Committees

1. College Advisory Committee on Promotion (CACP) (All Colleges)

This committee shall be comprised of a representative from each of the divisions and one representative from the non-teaching faculty (librarian/counselor). Members of the committee shall be at the Associate Professor rank or above.

The college president/ceo shall, after consultation with faculty, appoint the committee. Committee representatives who have direct responsibility for required faculty performance evaluations shall not participate in the consideration of said faculty member’s files.

If representation from a division or the non-teaching faculty is not feasible, the president/ceo shall appoint an additional representative from the remaining eligible faculty.
In addition to the appointed committee members, the college president/ceo shall appoint the CACP Chair for a two-year term. The CACP Chair may be reappointed for one additional two-year term.

Terms of CACP members – Appointed members shall serve a one-year term. Appointed members may be reappointed on an annual basis to serve up to three consecutive years.

The committee shall submit a recommendation to the college president/ceo (with the committee vote and signature of each member in attendance). Reasons for the recommendation, including strengths and weaknesses will be noted.

The college president/ceo shall review the portfolio and the recommendation and, in the case of a candidate for Associate Professor or Professor, forward the portfolio with the president/ceo’s letter of recommendation to the Chancellor.

Upon review by the CACP, promotions from Instructor to Assistant Professor may be approved by the college president/ceo and a letter submitted to the Chancellor with a copy to the faculty member.

In the event a candidate for Associate Professor or Professor is denied at the local level, the college president/ceo shall send the Chancellor a letter stating such denial with a copy to the faculty member.

In the case of a candidate for Professor, the college president/ceo shall contact the faculty member in writing to present the option of submitting the portfolio for review by the system committee (KCTCS Senate Advisory Committee on Promotion) in the regular system portfolio review process.

2. **KCTCS Senate Advisory Committee on Promotion (KCTCS Senate ACP)**

This committee shall consist of one member and one alternate from each college who hold the rank of Associate Professor or Professor appointed by the KCTCS President from recommendations made by each college by the KCTCS Council. A minimum of five members shall review each file.

Terms – In the initial appointment, eight (8) members and eight (8) alternates will be appointed for two-year terms; eight (8) members and eight (8) alternates will be appointed for a one-year term. Thereafter, members will be appointed for two-year terms.

The committee shall make a recommendation to the KCTCS President (with the committee vote and signature of each member in attendance). The committee shall give in writing the reason(s) for a negative recommendation.
The KCTCS President or designee, the Chancellor, shall report the committee’s recommendation and the decision to the college president/ceo in writing. The college president will notify the faculty member in writing. In the event of a decision to deny, the reason(s) shall be included in the letter from the college president/ceo to the faculty member.

A conference shall be called by the college president to discuss the negative recommendation/ reason(s).

3. KCTCS Senate Advisory Committee on Appeals (KCTCS Senate ACA)

This committee shall consist of seven members (5 members and 2 alternates). The KCTCS President shall appoint the members from recommendations made by each college by their respective KCTCS Council member. In the initial appointments, four (4) members shall be appointed for two-year terms; and three (3) members shall be appointed for one-year terms. Thereafter, members shall be appointed for two-year terms.

The committee shall decide whether to hear the appeal.

The committee shall use a formal appeal hearing format developed by the committee.

Faculty denied promotion have 30 days from receipt of the final letter to deny promotion from the college president to file an appeal.

The basis for all appeals shall be inadequate consideration and/or incomplete procedure.

The appeal, which is to be sent through the college president’s office, shall be addressed to the Chancellor in writing and state/explain the facts for the reason(s) for the appeal – inadequate consideration and/or incomplete procedure.

2.6.2.6 Promotion Timelines

1. On or before May 31, the college president/ceo shall invite faculty members to become a candidate for promotion by sending them an invitation letter and a copy of the portfolio format.

2. Timelines – Standard Promotion Process for Assistant, Associate Professor, Professor:
   • Annual Performance Reviews for Promotion Candidates – January through the first week of February.
   • Deadline for submitting promotion folders to CACP – on or before Monday of the second week of February.
- Deadline for CACP to forward to college president/CEO—last day of the first week of March.
- Deadline for college president/CEO to forward to Chancellor—third week of March.
- KCTCS Senate ACP Committee meets the second week of April.
- Appeal Timeline: Once written notice of a disapproval is received, a faculty member has 30 working days to appeal the decision.

<table>
<thead>
<tr>
<th>Date Approved by President, KCTCS</th>
<th>Date(s) of Last Review</th>
<th>Date(s) of Last Revision</th>
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(SIGNED) 9-22-14 (SIGNED) 9-22-14

Recommended by Date

President, KCTCS Date
2.6.3 KCTCS Rank and Promotion Guidelines for Term Contract Faculty

2.6.3.1 Definition
Term contract faculty are those full-time teaching faculty offered non-tenured contracts for specific contract terms as specified in administrative policy.

2.6.3.2 Process
Whereas a series of employment contracts may be offered at the discretion of the local chief administrative officer over a long-term association with KCTCS, term contract faculty (with the exception of the Lecturer rank) may be awarded promotion in rank for assistant professor, associate professor (without tenure), and professor (without tenure) according to the following process:

1. The faculty member must be invited to apply for promotion according to existing promotion procedures. (See Administrative Policies 2.1 (Track A) and 2.6).

2. A promotion portfolio, which meets established promotion criteria, is to be submitted to the college faculty promotion peer committee utilizing existing procedures by the annual specified date.

3. The existing college faculty promotion peer committee will evaluate the promotion portfolio; the committee chair will submit the committee’s recommendation to the college CEO by the annual specified date.

4. The college CEO is delegated the authority to approve or deny promotions for term contract faculty from Instructor to Assistant Professor, Assistant Professor to Associate Professor, and Associate Professor to Professor. The college CEO shall prepare a letter that includes comments on the quality of the promotion portfolio, action taken by the college faculty promotion peer committee, and the CEO action.
   • An approved action by the college CEO will be communicated through the Chancellor to the President of KCTCS, who will report it to the KCTCS Board of Regents.
   • In the case of denial, the college CEO will inform the faculty member in writing, including the reasons, and also notify the Division Chairperson.
   • If the college CEO denies the promotion, the faculty member may appeal to the system promotion appeals committee upon receipt of the written notification of denial from the college CEO, utilizing existing appeal timelines and processes.
### 2.6.3.3 Timeline

**Standard Promotion Process for Assistant, Associate Professor, Professor:**
- Annual Performance Reviews for Promotion Candidates – January through first week of February.
- Deadline for submitting promotion folders to college faculty promotion peer committee - on or before Monday of the second week of February.
- Deadline for college CEO to forward to Chancellor – third week of March.

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<th>Approval Date</th>
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<td>6-23-04; 9-22-14</td>
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(Include all dates in chronological order)

(SIGNED) 9-22-14 (SIGNED) 9-22-14

Recommended by Date President, KCTCS Date
2.8 KCTCS Employee Separation

There are four (4) categories of separation of employment for KCTCS employees:

- Non-renewal of Appointment
- Termination
- Resignation
- Retirement

When an individual leaves employment, college human resources officers shall attempt to conduct an exit interview to discuss the reasons for leaving KCTCS. During the exit interview, the employee may provide insights into areas for improvement that KCTCS can make. Every attempt shall be made to keep all information confidential.

Any KCTCS property such as office or computer equipment, keys, parking passes or credit cards shall be returned to KCTCS at the time of separation. The employee shall be responsible for any lost or damaged items. The value of any property issued and not returned may be deducted from the employee’s paycheck, and the employee may be required to sign a wage deduction authorization form for this purpose.

2.8.1 Non-Renewal of Appointment

*Term contract employment* shall end upon the expiration of the stated term as specified in the contract, without additional notice.

For *faculty initially appointed on or after July 1, 2005 who have tenure-track employment status*, notification of non-renewal of appointment shall be given at least ninety (90) calendar days before the period of appointment ends.

For *faculty initially appointed prior to July 1, 2005, with tenure-track employment status*, the notification of non-renewal for subsequent appointments shall be given as follows:

<table>
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<tr>
<th>Years of KCTCS Service</th>
<th>Deadline for of Non-Renewal</th>
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<tr>
<td>First Year of Service</td>
<td></td>
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<tr>
<td>Appointment that expires at the end of the current fiscal year</td>
<td>March 1. 3 months in advance of expiration of appointment.</td>
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<tr>
<td>Appointment that expires during the current fiscal year</td>
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<tr>
<td>Second Year of Service</td>
<td></td>
</tr>
<tr>
<td>Appointment that expires at the end of the current fiscal year</td>
<td>December 15.</td>
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</table>
Appointment that expires during the current fiscal year 6 months in advance of expiration of appointment.

After the Second Year of Service 12 months in advance of expiration of appointment.

For faculty with tenure-track employment status in cases when the chief academic officer and a division chairperson's advice for reappointment for a specific term is rejected by the college president/ceo and a terminal reappointment is offered instead, the following procedure shall be employed. If the tenured members of the division faculty, the division chairperson, and the chief academic officer reaffirm their advice and so request by majority vote, the KCTCS Chancellor shall refer the matter to the KCTCS Senate Advisory Committee on Promotion (or an ad hoc advisory committee especially formed for the purpose). The committee in its deliberation will address itself to the potential of the individual as a faculty member in a college and the likelihood of an eventual tenured appointment, and shall submit a written recommendation to the KCTCS Chancellor. After considering the committee's report, the KCTCS Chancellor shall make a recommendation to the KCTCS President.

It is KCTCS policy not to provide written reasons in cases of non-renewal of appointment. However, upon the faculty member's request, the college president/ceo of the college may meet with the faculty member and discuss informally the circumstances surrounding the non-renewal. If the faculty member is not satisfied with this conference, the faculty member may further request a related conference with the KCTCS Chancellor. Any related appeals through administrative channels and/or the KCTCS Senate Advisory Committee on Appeals shall be initiated in writing by the faculty member within thirty (30) calendar days after being notified in writing by the college president/ceo about non-renewal of appointment.

### 2.8.2 Termination Procedures

Faculty or staff may be terminated in accordance with the reasons specified in KCTCS Board Policy 2.8-KCTCS Employee Separation using the following procedures:

#### A. Termination for Unsatisfactory Performance for Faculty with Tenured Employment

**Status or Tenure-Track Employment Status**

Dismissal of a faculty member with tenured employment status or tenure-track employment status before the end of a specified term of appointment shall be preceded by discussions between the faculty member and an appropriate administrative officer or officers looking toward a mutual resolution. In the event of failure to agree upon a resolution, the college president/ceo shall be responsible for the preparation of a written statement of charges and to submit it to the KCTCS Chancellor, who shall furnish it to
the faculty member, his/her supervisor, his/her chief academic officer, and the KCTCS Senate Advisory Committee on Appeals. The committee shall make an investigation for the purpose of attempting to reach a resolution and, in the case of failure, to recommend to the KCTCS Chancellor whether, in its opinion, dismissal proceedings ought to be undertaken. The recommendation shall not be binding upon the KCTCS Chancellor.

If the college president/ceo decides to dismiss the faculty member, the faculty member shall have the right to be heard by the KCTCS Senate Advisory Committee on Appeals.

The faculty member shall be informed in writing by the college president/ceo regarding specific charges at least twenty (20) calendar days prior to the hearing. At least seven (7) calendar days prior to the hearing, the faculty member shall answer the charges in writing. The faculty member may waive the hearing. If the faculty member waives the hearing but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal shall evaluate all available evidence and rest its recommendation upon the evidence in the record.

During the proceedings the faculty member may have an academic adviser or counsel of personal choice. At the request of either party or the hearing committee, a representative may attend the proceedings as an observer. A full stenographic record of the hearing or hearings shall be taken and made available to the parties concerned. The burden of proof that adequate cause exists rests with the college, and shall be satisfied only by clear and convincing evidence in the record considered as a whole. If the faculty member's competence is in question, the testimony shall include that of qualified faculty from the college or other KCTCS colleges and may include that of qualified faculty from comparable institutions of higher education.

Within seven (7) calendar days following the hearing, the committee shall report to the KCTCS President that adequate cause for dismissal has or has not been established by the evidence in the record. It may, in addition, recommend that, although adequate cause for dismissal has been established, an academic penalty less than dismissal would be more appropriate, giving supporting reasons for the recommendation. If the KCTCS President rejects the recommendation, the KCTCS President shall provide reasons in writing to the committee and to the faculty member, and provide an opportunity for response.

The faculty member may appeal the KCTCS President’s decision to dismiss through the independent third party appeal process. The decision from the independent third party appeal may be taken to the Board of Regents pursuant to KRS 164.360. The Board of Regents’ decision shall be final.

B. Termination for Unsatisfactory Performance for Regular Staff and for Faculty with Term Contract Employment Status, Continued Employment Status, or Continuing Employment Status
Prior to the decision to terminate regular staff and to terminate regular faculty with term contract employment status, continuing employment status, or continued employment status, the college shall conduct a fact-finding process in which the employee is interviewed, along with other individuals as necessary and appropriate, to gather the facts surrounding the alleged policy violations/performance problems.

Pending the investigation and exhaustion of the administrative remedy procedures, the employee may be put on administrative leave by the college, with or without pay.

Following the investigation, the college shall send a written pre-termination notice informing the employee of the specific incidents of the reported policy violations/performance problems and the college’s intention to terminate the employee. The notice shall include information regarding an opportunity for the employee to request a pre-termination hearing. The purpose of the hearing is to review the issues with the employee and allow the employee to respond to the charges one final time before the college makes a final decision regarding termination. The hearing shall routinely be conducted on the campus by college administration. In the pre-termination notice, the clear and concise reason(s) for the termination shall be included.

Within seven (7) calendar days following the hearing, the employee shall be advised in writing that a decision shall be rendered within the time period established by the college. If the decision is to terminate the employee, the letter shall include specific reasons for the termination and information regarding the complaint resolution procedure.

C. Termination for Financial Emergency

In the instance of termination because of a financial emergency, an employee shall be given notice as soon as possible but not less than ninety (90) calendar days prior to termination. Prior to the effective date of the termination, a faculty member with tenured, tenure-track, continuing, continued, or term contract (during the term of the contract) employment status may appeal to the KCTCS Senate Advisory Committee on Appeals. Staff may utilize the KCTCS Complaint Resolution Procedure if they elect to appeal the action. The position of an employee who was terminated due to financial emergency shall not be filled by a replacement within a period of two years, unless the released employee has been offered reappointment and a reasonable time within which to accept or decline it.

2.8.2.1 Considerations of Academic Freedom

A faculty member who alleges that a decision to terminate the faculty member was caused by reasons violative of academic freedom rights the faculty member shall present their allegation under the complaint resolution procedure, or if applicable in writing to the KCTCS Senate Advisory Committee on Appeals within thirty (30) calendar days before the end of the appointment period. An allegation so presented shall be given preliminary considerations by the KCTCS Senate Advisory Committee on Appeals, which shall seek to settle the matter by informal methods. The faculty member’s statement of allegations
shall be accompanied by statements that the faculty member agrees to the presentation, for the consideration of the committee, of such reasons and evidence as the college may allege in support of its decision. If the dispute is unresolved at this stage and if the committee so recommends, the procedures set forth in this administrative policies and procedure shall be applied, except that the faculty member making the complaint is responsible for stating the grounds upon which the faculty member bases his/her allegation, and the burden of proof shall rest upon the faculty member. If a prima facie case is established via this procedure in favor of the faculty member, it becomes incumbent upon the college president/ceo, or designee, who made the decision to terminate to present evidence in support of the decision (See KCTCS Academic Freedom Policy).

2.8.2.2 Administrative Leave

Until the final decision regarding termination has been reached, the faculty or staff member may be placed on administrative leave, or assigned to other duties. Salary shall continue during the period of administrative leave, except in cases of serious misconduct as determined by the college president/ceo. For employees under the administrative regulations for KRS Chapter 151B, the issue of pay status during an administrative leave is further addressed in the administrative regulations located in Appendix I.

2.8.3 Resignation

Employees in all employment status categories shall provide the proper notice as specified in KCTCS administrative policies and procedures in order to not adversely impact KCTCS operations. Resignations shall be given early enough to obviate serious inconvenience to KCTCS. To leave “in good standing”, regular status and temporary status non-exempt staff employee shall give at least two weeks written advance notice, unless otherwise specified in the terms of their contract. To leave “in good standing”, regular and temporary exempt staff employees shall give at least one month written advance notice. Faculty members are requested to give written notice of their intent to resign as soon as possible and no less than three (3) months in advance. This advance notice requirement may be waived by the college president/ceo.

Employees under the KCTCS personnel system, the UK personnel system, or the administrative regulations for KRS Chapter 18A, who have not worked for one year, are not on an approved leave of absence, and did not otherwise terminate or resign, shall be deemed to have resigned at the end of that year. For employees under the administrative regulations for KRS Chapter 151B, this issue is addressed in the administrative regulations located in Appendix I.
2.8.4. Retirement

Eligible KCTCS employees in all employment status categories may retire in accordance with the applicable retirement plan’s policies and procedures. Proper notice of retirement shall be given. For the KCTCS 403b retirement plan an employee shall give notice of retirement no less than 3 (three) months in advance of retirement, although this requirement may be waived by the college president/ceo. Requirements for giving notice of retirement under the UK 403b retirement plan are specified in the UK Administrative Regulations. Requirements for giving notice of retirement under the defined benefit plans are specified in the state statutes pertaining to the state retirement plans.

To be considered as an official retiree under the respective retirement plans, the terminating employee shall meet the age and service requirements as specified in the KCTCS retirement plan policies and procedures and the respective regulations for the retirement plans.
2.10 Faculty and Staff Tuition Assistance

Kentucky Community and Technical College System encourages self-improvement and career growth of regular, full-time employees, both faculty and staff, through the taking of supplemental educational courses and pursuing programs of study. These efforts may be to pursue a degree or for purposes of continuing professional education. In addition, KCTCS shall provide a tuition defrayal for regular employees other Kentucky postsecondary education institutions.

To facilitate career growth and to encourage personal and professional development of employees, the Kentucky Community and Technical College System shall provide a tuition waiver for regular full-time faculty and staff enrolled in KCTCS colleges. In addition, KCTCS shall defray the tuition at a Kentucky public postsecondary institution for regular, full-time faculty and staff employees, and in state and locally operated secondary area technology centers. (See Attachment A-Council on Postsecondary Education Faculty and Staff Tuition Waiver Policy effective May 22, 2000.)

1. A regular, full-time employee is eligible for tuition waiver or defrayal for courses taken at any postsecondary public institution.

2. For eligible employees, the maximum number of credit hours for which the tuition may be waived and defrayed shall be no more than six per term, with a combined maximum waiver and/or defrayal of 18 credit hours per academic year. Employees under the UK personnel system may have a tuition defrayal of up to eight credit hours at the University of Kentucky with a maximum a combined maximum defrayal and/or waiver of 18 credit hours per academic year; if more than six credit hours are scheduled in a semester at the University of Kentucky for these employees, then the number of classes shall not exceed two and their respective one- or two-credit hour labs.
   a. Tuition waiver or defrayal is not available for audited, non-credit, continuing education, or community education courses.
   b. If an employee registers for more hours than the maximum for which the tuition may be waived and/or defrayed, the excess tuition shall be paid by the employee.

3. The combination of summer sessions is considered as one term. Therefore, the combined total amount of tuition which may be waived and/or defrayed for summer sessions shall not exceed the normal tuition for six hours of credit, or eight hours of credit taken at the University of Kentucky for employees under the UK personnel system.

4. Fees other than tuition (e.g., breakage fees, books, etc.) shall not be waived or defrayed by the Kentucky Community and Technical College System.

5. Employees utilizing this policy who are part-time students shall not be eligible for the Student Health Service or other programs requiring student status but rather shall retain employee status for purposes of all such determinations.
6. In the event an employee terminates employment with the Kentucky Community and Technical College System prior to the first day of classes, any previously approved tuition waiver or defrayal shall not be honored.

7. Employees utilizing this policy shall be permitted, with their supervisor’s or department head’s and the institution’s president/ceo approval, to take one (1) course for credit per term or combined summer session during the employee’s normal working hours. All time away from work as a result of this policy shall be made up within that regular workweek, resulting in no net loss of work time for which the employee shall be paid. As determined by the college president/ceo, faculty may take up to two (2) courses as a part of their summer workload. If this is approved as a part of the summer workload, appropriate release time shall be granted and the hours away from work do not have to be made up. Scheduling of classes and make up time shall be approved in advance by the employee’s supervisor or department head and the college president/ceo.

2.10.1 Dependent/Spouse Tuition Waiver

**KCTCS Personnel System**

Regular full-time faculty and staff in the KCTCS personnel system are eligible for a tuition waiver for their spouse and dependent children. The following guidelines are applicable:

1. For eligible spouse/dependents, the tuition waiver shall apply to classes taken at KCTCS colleges.

2. The tuition waiver shall be for a maximum of six credit hours per academic term (fall, spring, and summer).
   a. Tuition waiver shall not be available for audited, non-credit, continuing education or community education courses.
   b. If a dependent/spouse registers for more hours than the maximum (six hours per term) for which the tuition shall be waived, the excess tuition shall be paid by the student.
   c. Only a maximum of six credit hours per term may be waived for a spouse/dependent student, regardless if the student has multiple qualifying relationships with more than one KCTCS employee.

3. The dependent child must be age 23 or less, as defined by federal financial aid guidelines.

4. The combination of summer sessions is considered as one term. Therefore, the total amount of tuition which may be waived shall not exceed the normal registration fee for six hours of credit.

5. Fees other than tuition (e.g., breakage fees, books, etc.) shall not be waived by the Kentucky Community and Technical College System.
6. In the event that an employee terminates employment with the Kentucky Community and Technical College System prior to the first day of classes of a term for the dependent/spouse, any previously approved tuition waiver shall not be honored for the subsequent term.

**UK Personnel System and 18A/151B Personnel System**
This benefit is not available for employees under these personnel systems.
KCTCS ADMINISTRATIVE POLICY 2.10.1, ATTACHMENT A
(Kentucky Council on Postsecondary Education Policy)

2:51: FACULTY AND STAFF TUITION WAIVER PROGRAM
POLICY

I. Statement of Purpose

The 1997 First Extraordinary Session of the General Assembly resulted in the creation of
a faculty and staff tuition waiver program [KRS 164.020(32)] with the express purpose of
promoting employee and faculty development. Specific responsibility was granted to the
Council on Postsecondary Education to develop and implement this program. Consistent
with stated legislative purpose, this policy sets out the parameters of this program, which
is intended to enhance the professional development opportunities of the faculty and staff
of the public postsecondary institutions and of state or locally operated secondary area
technology centers.

II. Statutory Authority

KRS 164.020(32) provides that the Council on Postsecondary Education shall:

(32) Develop a statewide policy to promote employee and faculty development in all
postsecondary institutions and in state and locally operated secondary area technology
centers through the waiver of tuition for college credit coursework in the public
postsecondary education system.

Any regular full-time employee of a postsecondary public institution or a state or locally
operated secondary area technology center may, with prior administrative approval of the
course offering institution, take a maximum of six (6) credit hours per term at any public
postsecondary institution. The institution shall waive the tuition up to a maximum of six
(6) credit hours per term; . . .

Additional requirements for employees of the Kentucky Community and Technical
College System are stated in KRS 164.5807:

(6) A regular full-time employee may, with prior administrative approval, take one (1)
course per semester or combination of summer sessions on the University of Kentucky’s
campus or at a community college during the employee’s normal working hours. The
University of Kentucky shall defray the registration fee up to a maximum of six (6) credit
hours per semester or combination of summer sessions.
Section A. Definitions

1. “Course-offering institution” means the institution where an employee has enrolled to take a college credit course under the provisions of this policy.

2. “Employing institution” means the institution or a state or locally operated secondary area technology center where an employee seeking a benefit under this policy works on a full-time basis.

3. “Institution” means a state-supported postsecondary institution as described in KRS 164.001(10).
2.10.1.1 KCTCS-Sponsored Employee Development

To strengthen its ability to serve students, employers, and communities, KCTCS may encourage or require employees to take additional coursework or seminar training. If the course planned is determined by the college president/ceo or designee to be clearly job-related, and available only during regular working hours, KCTCS shall make every reasonable effort to grant appropriate release time with pay.

KCTCS shall pay for seminars and coursework if the following conditions are met:

- taking the seminar or course serves the interests of KCTCS;
- it is required for the performance of the duties of the employee’s current position;
- the class is not covered under the KCTCS Faculty and Staff Tuition Waiver program; and
- the cost is within budget constraints.

In addition, in order for KCTCS to pay for coursework it shall be approved by the college president/ceo, or by the appropriate KCTCS President's Cabinet member for system office employees.
2.11 Work Load

Faculty work load shall be assigned in an equitable manner within campus locations, according to KCTCS Policy 2.11.1.

Faculty work includes instruction, student guidance-advising activities, internal service-institutional service, external service-community service, professional development activities, and educational leadership. Faculty work may be performed in many locations and is not defined by time spent on campus or school premises.

Each academic year, faculty supervisors will develop in consultation with each faculty member a written plan of responsibilities and assignments. This plan will be used by the supervisor and reviewer in the faculty performance reviews.

Faculty may be asked to assume overload assignments for additional compensation at rates approved by the college president/ceo. A faculty member may decline an overload assignment without prejudice to his/her record with KCTCS.

6-22-98 Date Approved by President, KCTCS

9-24-02; 11-20-09 Date(s) of Last Review

9-24-02; 11-20-09 Date(s) of Last Revision (Include all dates in chronological order)

(SIGNED) 11-20-09 (SIGNED) 11-20-09

Recommended by Date President, KCTCS Date
2.11.1 Work Load KCTCS Colleges

The Division Chairperson or other appropriate academic officer, with the approval of the reviewer, will develop with the faculty member a written statement of responsibilities and assignments including institutional service. Work load allocations within the broad areas of responsibility will vary with both faculty members and divisions and the requirements of specific programs and disciplines and should be noted on the faculty member’s Performance, Planning, and Evaluation document (PPE).

The normal teaching load for full-time faculty members is considered to be fifteen (15) credit hours per semester or equivalent for the academic year, fall and spring semesters. The maximum number of contact hours per week for full-time teaching faculty shall be determined by the college president/ceo but shall not exceed twenty-five (25). For faculty whose courses involve laboratory and clinical responsibilities with extensive contact hours or who teach courses with low enrollments, a teaching load equivalent may be calculated based on local college policy.

The normal teaching load for part-time faculty is less than 70% of a full-time faculty teaching load. On a fiscal year basis, this equates to a teaching assignment of 25 credit hours or fewer including fall, spring, and summer terms.

Decisions about work load allocation will be reached on the basis of discussion between the faculty member and the division chair or other appropriate academic officer through the PPE process, with final approval given by the chief academic officer.

2.11.1.1 Teaching Duties

Consideration should be given to a person who teaches a variety of courses, or to the faculty member who can teach effectively a large number of students. Faculty members are expected to maintain regular office hours for consultation with students and are encouraged to take an active role in college and community life through work with committees and civic groups.

2.11.1.2 Non-Teaching Duties

Occasional circumstances may require that a faculty member take on an assignment beyond the scope of the individual's normal college responsibilities. In such cases, an approved fee schedule or appropriate per diem compensation is used. Prior administrative approval of an internal overload assignment is required.
2.11.1.3 Faculty Consulting and Other Overload Employment Outside the KCTCS Colleges

2.11.1.3.1 KCTCS Colleges

KCTCS has an obligation to encourage its faculty to assist in the transfer of knowledge from the KCTCS colleges into the general community. It recognizes that the effectiveness of its academic programs can be enriched by appropriate faculty involvement with the realities of social, economic, and technologic activities outside the colleges. Faculty members are uniquely qualified to assist in meeting a variety of societal needs by way of limited consulting activity. Personal participation in professionally relevant consulting activities should enhance a faculty member's competence as a teacher and a researcher.

With appropriate prior administrative approval, a faculty member employed on a full-time basis may render professional consulting services in the public interest to an individual association, governmental agency, business, or others. Such consulting activities, whether compensated or not, should not interfere with the fundamental responsibility of a faculty member to meet regularly assigned duties and obligations to teaching and research, including being regularly available to students and colleagues, which are normally expected of a full-time faculty member and for which the faculty member receives compensation from the Kentucky Community and Technical College System. The chief executive officer of a KCTCS college has the authority to limit external consulting and other overload assignments for faculty in that college to less than the maximum extent when such limitation is necessary to meet the college’s commitments to instruction and service.

At all times while on full-time or part-time appointment, during either an assignment period or a non-assignment period, faculty members must avoid any situations in which their involvement may actually conflict with their Kentucky Community and Technical College System duties and responsibilities. While it is not possible to anticipate every factual situation which might give rise to a conflict of interest, such a conflict of interest does arise within the meaning of this regulation when a faculty member represents the legal interest of another party against KCTCS or when a faculty member engages in litigation on behalf of another party against KCTCS. A conflict of interest also may arise in a case of a potentially patentable invention or discovery (see KCTCS intellectual properties policy and guidelines). Interpretations as to conflicts of interest in particular factual situations are to be made by the chief executive officer of the college with the proviso that an adverse decision can be appealed.

The above principles apply to all faculty members during the period of their active full-time employment by Kentucky Community and Technical College System.
Regardless of the assignment period, faculty who plan to consult or to undertake employment outside the Kentucky Community and Technical College System must complete Form F. Form F must be completed before a faculty member undertakes any consulting or outside employment. The information provided by the faculty member on Form F will be evaluated to ensure that there are no actual or potential conflicts of interest during the nine (9) -, ten (10) -, eleven (11) -, or twelve (12) - month assignment period and also during any non-assignment period, authorized leave, or vacation period. Professional services covered under KCTCS-enacted professional service plans are excluded from the approval process.

2.11.1.3.2 Approval Procedure

The variety of outside consulting or employment situations and the potential of such for detracting from a faculty member's regular KCTCS activities, for lacking professional relevance to the faculty member's field, or for constituting a conflict of interest for the faculty member demand a standard procedure for review and approval.

The following guidelines and procedures are set forth to aid in the interpretation of the policy for consulting, whether compensated or not. In general, any outside consulting demanding more than purely spare-time effort must be substantially justified in terms of the contribution its performance can bring to the faculty member's pursuit of teaching, research, and service. The basic responsibility for determining the appropriateness of any consulting is determined collaboratively by the chairperson, chief academic officer or other appropriate administrative officer, president/ceo, and the faculty member.

When desiring to engage in such activities, a faculty member must make a formal proposal in writing to the concerned department or division chairperson using a copy of Form F. Since approval shall not be granted for blanket authorization to consult or engage in professional practice, a proposal should be specific. Such a proposal shall indicate the nature of the work to be performed, the estimated amount of time involved, the duration of the assignment, and the scale of compensation, if any. The division chairperson's recommendation on the proposal shall be forwarded to the college chief executive officer whose approval or denial shall be forwarded to the KCTCS System Human Resources (HR) Office. These proposals shall be made a matter of record by the HR who shall transmit periodic reports to the President of the Kentucky Community and Technical College System and to the Board of Regents.

Whenever a proposal by a faculty member is disapproved by an official of the college, it is the obligation of that official to provide the faculty member, upon request, with an oral statement of the reason for the decision. The faculty member also is entitled to appeal such a disapproval through established channels.

Faculty members engaged in consulting and other overload activities must not use the name of the Kentucky Community and Technical College System in such a manner as to suggest institutional endorsement or support of a non-KCTCS enterprise.
Requests for outside consulting that involve significant use of other KCTCS personnel, facilities, or equipment should be performed on a contractual basis with KCTCS rather than on an individual consulting basis.

A faculty member wishing to engage in continuing consulting must resubmit a request annually.

The following professional activities are subject to the guidelines set forth above, but are excluded from the approval requirements discussed in this section so long as any such activity occurs on no more than four separate occasions per year and does not result in compensation in excess of one thousand dollars ($1,000) per occasion.

1. Occasional service on review panels, site visit teams, professional committees or boards;
2. Occasional lectures or seminars at other institutions;
3. Occasional telephone or office consultation; and
4. Occasional reading and evaluation of manuscripts, writing reviews, serving as expert witness, rendering professional opinions in depositions, etc.

Faculty members engaged in consulting and other overload activities must assure that they do not have a conflict of interest nor a conflict with regular workload and quality of instruction.

**2.11.1.3.3 Special Considerations Regarding Faculty Consulting and Other Overload Assignment**

KCTCS recognizes that there are occasional circumstances when a faculty member may be the most appropriate person to undertake KCTCS assignments which are beyond the scope of that individual's normal division, college, and System-wide responsibilities. Examples include the conducting of continuing education classes, the grading of correspondence courses, and participating in various types of sponsored activities for which the basic responsibility lies outside the faculty member's educational unit. Equity demands that procedures for compensation above the individual's regular KCTCS contract be provided for these situations. At the same time, however, the local nature of the circumstances and the relative closeness of participants suggest that special attention be given to the potential impingement on the individual's regular duties and the potential for conflicts of interest.

Additional compensation for internal overload assignments (e.g., continuing education classes, including extension and evening programs classes, and grading in correspondence courses) must be approved by the college president/CEO.
If an internal overload assignment is to be compensated from sponsored project funds, the faculty member's proposal for overload employment shall be forwarded sequentially to the division chairperson, chief academic officer or other appropriate administrative officer, president/ceo, principal investigator for the sponsored project, and the KCTCS System HR Office. (CEOs should coordinate with the System Office of Sponsored Projects and Contracts where appropriate.)

### 2.11.1.3.4 Internal Faculty Overload

1. **Restrictions on Internal Overload for Faculty.** Internal overload within the educational unit for faculty in KCTCS will be restricted to instructional assignments that are clearly above and beyond the duties and responsibilities recorded in the faculty member’s approved Performance Planning and Evaluation agreement.

2. **College-Level Approval.** It is the president/ceo’s responsibility to evaluate the budgetary impact of a proposed overload and to determine, after due consultation with the faculty member, the division chairperson, and chief academic officer or other appropriate administrative officer, whether an instructional assignment is clearly above and beyond the duties and responsibilities recorded in the faculty member’s approved Performance Planning and Evaluation agreement.

3. **Overload for Non-Credit Business and Industry Teaching.** Instructional assignments approved for overload above and beyond the Distribution of Effort Agreement may include credit courses and non-credit business and industry short courses, seminars, and educational programs.

4. **Overload for Faculty on ‘Released Time’ or ‘Reassigned Time.’** Overload pay is generally restricted to faculty carrying a normal teaching load of fifteen (15) credit hours per semester or equivalent for the academic year, fall and spring semesters. The maximum number of contact hours per week for a full-time occupational/technical instructor shall be determined by the chief executive officer but shall not exceed twenty-five (25). However, faculty members who have been released from one or more courses to take on other duties may be paid overload for an additional instructional assignment if that assignment is clearly above and beyond the duties recorded in the approved Distribution of Effort Agreement.

5. **Librarians, Counselors, and Mid-management Staff.** Librarians and Counselors may be documented using appropriate forms and submitted for approval by the chief executive officer prior to the start of the semester for which the overload is requested. Exceptions to this deadline will be made for circumstances which arise after the start of the semester.

6. **KCTCS System HR Office Submission.** Overload payment requests must be documented using appropriate forms and submitted to the KCTCS System HR Office as notification by the chief executive officer prior to the start of the semester for
which the overload is requested. Exceptions to this deadline will be made for circumstances which arise after the start of the semester.

7. Minimum / Maximum Overload Pay Limits. The minimum payment for credit classes shall be the college’s existing per-course rate for part-time faculty. Overload payment for business and industry classes is a matter of local policy, as is the limit on the number of overload assignments permitted in a given semester or academic year.
KCTCS wants to assure that work for other employers does not create scheduling conflicts with KCTCS duties or otherwise restrict an employee’s ability to perform KCTCS work assignments. KCTCS requires employees to report and to request approval to perform "related" outside employment or consulting work, if it is the type of instruction, or training, or other related services that KCTCS provides to the public. Related work is work that uses substantially the same professional knowledge and skills required in an employee’s KCTCS position. Outside employment may also be referred to as faculty consulting or an external overload.

KCTCS employees may engage in additional related employment or consulting assignments outside of KCTCS only if a description of the outside related employment has been submitted on the designated outside employment request form and has been approved by the college president/ceo.

Requests for outside employment shall be determined based upon the following:

- The outside employment or consulting does not represent a diversion of regular KCTCS business which the employee is expected to secure or carry out as part of his/her KCTCS employment.
- The hours of the outside employment shall not coincide with the employee’s KCTCS scheduled hours of work.
- Outside employment shall not conflict with the employee’s job responsibilities, KCTCS interests or affect the employee’s job performance at KCTCS.
- Outside employment shall not cause the employee to arrive late for, or leave early from, his/her KCTCS scheduled work shift or hours.

Actions on outside employment requests shall be reported to KCTCS Human Resources as specified on the designated outside employment request form.

KCTCS facilities and equipment shall not be used in the conduct of an employee’s outside business or employment without explicit written permission from the college president/ceo.

The ability to engage in outside employment/external consulting/external overload during a medical leave of absence, including a Family/Medical Leave, shall be subject to the same terms and the same type of process for request and approval determination as that used for an employee who is not on a medical leave of absence. A separate request and approval determination shall be used for engaging in outside employment during medical leaves of absence.
Employees must also comply with related KCTCS administrative policies and procedures regarding external consulting, overloads, and running for or serving in elective or appointive office.
2.11.3.1 Running for or Serving in Elective or Appointive Office

Like other citizens, KCTCS employees are free to engage in political activities so far as they are permitted to do so within conflict of interest statutes and their job-related obligations. Elective and appointive part-time services in public office and on public boards and commissions, to which members of the faculty and staff are prepared to provide service while actively employed, shall be governed by policies on outside employment and faculty consulting and external workloads.

For leaves of absence while serving in a public office, see KCTCS administrative policies and procedures regarding political leave.
2.14 Leaves of Absence

**Opt Over Banked Leave Balances**
KCTCS employees under the UK personnel system or 18A/151B personnel system who exercise their one-time election to opt over to the KCTCS personnel system without a break in service shall bank existing vacation/annual leave, compensatory leave, and sick/temporary disability leave balances. These banked balances shall be available for use subject to the leave policies under the KCTCS personnel system. KCTCS policies shall govern new leave accumulations.

**Continuous Service Credit for Employees Who Elect to Opt Over**
For KCTCS employees who exercise their one-time election to opt over to the KCTCS personnel system, their length of service for benefits calculations shall be their combined, uninterrupted service for KCTCS and the University of Kentucky Community College System, Lexington Community College, or the Commonwealth of Kentucky prior to the transfer to KCTCS set forth by statute. They shall retain their original service date.
2.14.1 Faculty and Staff Vacation Leave

KCTCS provides vacation with pay to any regular full-time and eligible regular part-time faculty and staff. Vacations are to be scheduled at times that are convenient to the department with due consideration given to the department. The department supervisor shall be responsible for scheduling vacations to allow for adequate staffing to meet the departmental work load. This scheduling may specify periods during which some or all employees may not take vacation leave.

Employees shall earn vacation leave/annual leave based on their position title, duration category, time worked category, the personnel system under which they are governed; KCTCS policies, procedures, and regulations; and applicable laws. Employees shall confirm eligibility for vacation leave with their supervisor and follow all policies and procedures for requesting and/or reporting vacation leave.

All paid vacation leave requires the approval of employees’ supervisor in order to be considered excused leave time. Employees shall request from their supervisor, in advance of each absence unless that is not possible, the approval of vacation leave, using the official KCTCS absence record/request form (located on the KCTCS website Forms page) in accordance with KCTCS Business Procedures regarding absence record procedures. An official KCTCS absence record/request form shall be submitted for each absence prior to any vacation being taken. In addition to the official KCTCS absence record/request form, colleges may also use a vacation leave planning form to plan at the beginning of the academic year vacation leave for the whole year; however, this form shall be used for planning purposes only, rather than for the purpose of requesting and/or recording vacation leave time. Absence record/request forms, and time sheets if applicable, shall accurately reflect the amount of vacation leave taken during any given pay period. Local payroll and/or human resources staff shall use standardized methodology to track the earning of and usage of vacation leave. A deduction of leave time shall be recorded in leave records as the leave time occurs.

Employees may use vacation leave for absences due to illness and other health-related reasons. When requesting approval for an absence due to an illness or health-related reason, employees and supervisors shall contact and collaborate with the human resources staff to explore whether or not the absence qualifies for Family Medical Leave (FML). The KCTCS FML request form shall be completed and submitted in order for a final determination to be made. If the absence does qualify as FML, it shall be subject to the provisions of that policy and the Family Medical Leave Act. Approved FML shall run concurrent with other paid and unpaid leave time.

Employees on vacation leave who become ill or injured while on vacation may substitute TDL during the period of temporary disability upon providing written certification of a physician. The employee shall be responsible for obtaining the physician’s certification and requesting the substituted time through their supervisor by the end of the pay period in which the absence occurred. The employee shall make any necessary corrections on
their time sheet/absence record and obtain appropriate signatures in order to complete substitution of time.

Employees shall exhaust all available and applicable paid leave time, including applicable banked leave, if necessary during the duration of the leave. Excessive non-FML absenteeism, including unplanned absences, and tardiness are disruptive, and either violation may lead to disciplinary action, including termination of employment.

The subsequent policies further address faculty and staff vacation leaves.

In addition, provisions regarding leaves of absence shall be adhered to in accordance with other KCTCS policies and human resources procedures related to attendance and leaves, including KCTCS policies regarding unauthorized absences and leaves and unpaid medical leaves of absence.

### 2.14.1.1 Faculty Vacation Leave

**KCTCS Personnel System and UK Personnel System**

Regular full-time faculty members on a ten (10)-month, eleven (11)-month, or twelve (12)-month assignment basis shall be entitled to twenty-two (22) working days of vacation leave with pay per assignment period. Regular part-time faculty members who work 50 percent or more of a full-time schedule on an annualized basis earn a pro-rata share of vacation days annually. Temporary faculty members, along with regular part-time faculty who work less than 50 percent of a full-time schedule on an annualized basis, shall not earn vacation leave.

In addition to their vacation leave earned under the KCTCS personnel system, faculty who opted over from the 18A/151B personnel system shall retain their balance of banked vacation leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

Except for emergencies or other special reasons as approved by the college president/ceo, faculty shall not take vacation during the academic year while classes (including labs, clinicals, committee work, advising, office hours, and other responsibilities assigned by the supervisor and college officials) are in session. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after commencement and until all reports have been made, and at least three (3) days prior to the first day of registration for the fall semester, unless for emergencies or other special reasons, leave is approved by the college president/ceo.

Faculty members employed on a twelve-month assignment basis may take vacation leave either during the assignment period in which the vacation leave is earned or during the subsequent assignment period if allowed under their respective personnel system. For
regular full-time faculty members on a ten (10)-month or eleven (11)-month assignment basis, vacation leave normally cannot be accumulated from one (1) assignment period to another. However, under unusual circumstances, provided it is in the best interest of the Kentucky Community and Technical College System and has advance approval by the college president/ceo, a faculty member employed on a ten (10)-month or eleven (11)-month assignment basis also may take unused vacation leave during the assignment period following that in which the leave was earned.

18A/151B Personnel System
For employees under this personnel system, additional provisions regarding annual leave is addressed in the provisions of their retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.

2.14.1.2 Staff Vacation Leave
Available vacation leave shall be taken only after it has been accrued and in increments of no less than .25 hours when approved.

KCTCS Personnel System
Regular full-time and regular part-time employees who work 50 percent or more of a full-time scheduled on an annualized basis, KCTCS provides you with vacation pay. Vacations are scheduled at times that are convenient to the department with due consideration given to employee preferences.

Regular full-time staff employees in a twelve-month position shall have an annual vacation allowance as follows:

- Fifteen days each year during the first five years of service.
- Twenty days each year at the sixth year of service and thereafter.

Regular full-time staff employees in an eleven-month position shall have an annual vacation allowance as follows:

- Twelve days each year during the first five years of service.
- Eighteen days each year at the sixth year of service and thereafter.

Regular employees who work less than ten months per year accrue no vacation allowance. In addition, temporary staff employees accrue no vacation allowance.

Vacation earned is earned monthly on the 15th of the month and is available for use on the sixteenth day of that month (including the months during the new employee introductory period) for the months in which employees are in a paid status for a minimum of half of the month. Vacation leave may be used when credited and scheduled with the supervisor. Monthly vacation accruals are as follows:
Staff Vacation Accrual based on Length of Position Assignment Period

<table>
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<tr>
<th>Length of Service</th>
<th>12 Months/year</th>
<th>11 Months/year</th>
<th>10 months</th>
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<tr>
<td>0-5 years of</td>
<td>1.25 days/month</td>
<td>1.1 day/month</td>
<td>1 day/month</td>
</tr>
<tr>
<td>6 years and over</td>
<td>1.67 days/month</td>
<td>1.5 days/month</td>
<td>1.4 days/month</td>
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</table>

Paid vacation leave is earned for a month when employment commences on or before the fifteenth day of the month.

Employees in an unpaid leave of absence for more than half of the month do not accrue vacation leave during that month.
In addition, no paid vacation leave is accrued in the final month of employment when termination occurs on or before the 15th day of the month.

In addition to their vacation leave earned under the KCTCS personnel system, staff who opted over from the UK personnel system or the 18A/151B personnel system shall retain their balance of banked vacation leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

Part-time employees accumulate vacation on a pro-rata basis. If the scheduled work week is not to be consistent throughout the year, the pro-rata percentage to full-time shall be calculated on an annualized basis. The principle governing pro-rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid vacation time for eligible part-time employees who work 50 percent or more of a full-time schedule on an annualized basis.

An employee’s balance of vacation leave earned under the KCTCS personnel system is limited to a maximum of 40 days at any given time. An employee shall forfeit the balance of vacation leave in excess of the 40-day limit that was earned under the KCTCS personnel system.

**UK Personnel System**
Regular full-time staff employees and part-time staff employees who work 50 percent or more of a full-time scheduled on an annualized basis who are absent shall be granted paid vacation leave if they have an available leave balance and if the requested leave is approved.

Regular full-time staff employees in the following groups and employed on or after 07/01/83 shall accrue paid vacation leave as follows.

1) Any administrative and professional staff employee earns vacation as follows:
a. 15 days each year during the first five years of continuous service, and

b. 20 days each year during the sixth year and each year of continuous service thereafter.

2) Any office and clerical, service and maintenance or technical and scientific staff employee earns vacation as follows:

   a. 10 days each year during the first three years of continuous service,

   b. 15 days each year during the fourth through the ninth year of continuous service,

   and

   c. 20 days each year during the tenth year and each year of continuous service thereafter.

Any regular employee with an assignment of 0.5 FTE or greater and employed before 07/01/83 shall receive vacation leave in accordance with the policy in effect at the time of that employee’s employment as long as that employee has not been involved in a personnel action (i.e. promotion, demotion, transfer etc.) in which the exempt/non-exempt position status changed.

Regular part-time staff employees who work 50 percent or more of a full-time schedule on an annualized basis shall accrue vacation leave in an amount for the hours and/or days worked, directly proportionate to the amount received by full-time staff employees. The principle governing pro rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid vacation for an eligible employee who is not full-time but who works half-time or more.

**18A/151B Personnel System**

If approved, paid annual leave shall be granted subject to the terms specified in the Administrative Regulations for KRS Chapters 18A and 151B effective on June 30 1998, located in Appendix I Section 2.
2.14.1.3 Terminal Vacation Pay

2.14.1.3.1 Faculty Terminal Vacation Pay

KCTCS Personnel System and UK Personnel System
For employees under this personnel system, when separating employment faculty members shall receive terminal vacation pay if applicable, provided they leave in good standing.

If separation from employment occurs prior to the start of an assignment period, faculty members shall not be entitled to any vacation pay for that assignment period within the new appointment period.

Faculty members who terminate their contracts prior to the end of an assignment period and who leave in good standing shall receive prorated terminal vacation pay based on the amount of unused vacation days earned during the portion of their assignment period in which they were actually employed.

In addition, faculty members who separate from employment at the end of their assignment period or appointment period who leave in good standing shall be compensated for unused vacation leave.

Faculty terminal vacation pay for unused vacation leave shall be limited to a maximum of twenty-two (22) days. The calculation of the number of prorated vacation days for which a faculty member is entitled to receive terminal pay shall be based on the portion of the number of months in the assignment period that they were employed, rather than on the portion of the 12-month appointment period that they were employed. The faculty terminal vacation pay rate shall be calculated at a rate of pay based on the length of faculty members’ assignment period (10-month, 11-month or 12-month), rather than on their 12-month pay rate for 10-month and 11-month faculty.

In accordance with proration of vacation leave upon separation from employment, faculty members who used vacation leave during their employment that is in excess of the prorata amount earned based on their date of separation shall be required to reimburse KCTCS for the amount of unearned vacation they used and were paid.

In addition, faculty who opted over from the 18A/151B personnel system who retain a balance of banked vacation leave that was earned under their previous personnel system shall also receive terminal vacation pay in the amount equal to their current balance of banked vacation leave, not to exceed the maximum allowable terminal vacation payout as specified under the 18A/151B regulations.

Applicable faculty terminal vacation pay will be paid in the event of the death of a faculty employee.
18A/151B Personnel System
For employees under this personnel system terminal annual leave pay is addressed in the provisions of their retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.

2.14.1.3.2 Staff Terminal Vacation Pay

KCTCS Personnel System and UK Personnel System
For employees under this personnel system regular full-time or part-time employees (who are eligible to accrue vacation leave) who are separating from employment with KCTCS are eligible to receive wages or salary for unused accumulated vacation leave, at the time of their date of separation following their last actual day of work normally to be included with their final pay, provided that they meet the following criteria:

- Employees successfully completed the new employee introductory period, if applicable.
- Employees separate either (a) "in good standing," i.e., proper advance notice of their separation was given and was fulfilled in accordance with KCTCS policies that address the required time frames (this notice may be waived at KCTCS’ discretion) or (b) involuntarily for reasons other than misconduct.
- Employees shall receive terminal vacation pay in the amount equal to their current balance of vacation leave earned under the KCTCS personnel system as of their date of separation, not to exceed one year’s accrual of their annual vacation leave allowance. In addition, employees who opted over from the UK personnel system who retain a balance of banked vacation leave earned under that personnel system shall also receive terminal vacation pay in the amount equal to their current balance of banked vacation leave, not to exceed one year of their annual allowance. Likewise, employees who opted over from the 18A/151B personnel system who retain a balance of banked vacation leave earned under that personnel system shall also receive terminal vacation pay in the amount equal to their current balance of banked vacation leave, not to exceed the maximum allowable payout as specified in the 18A/151B regulations.
- Terminal vacation pay of staff who have a 10-month or 11-month assignment period shall be calculated at a rate of pay based on the length of their assignment period (10 months or 11 months).

Applicable staff terminal vacation pay will be paid in the event of the death of a staff employee.
18A/151B Personnel System
For employees under this personnel system annual leave is addressed in the provisions of their retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.

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<thead>
<tr>
<th>Approval Date</th>
<th>Date(s) of Last Review</th>
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<tr>
<td>6-22-98</td>
<td>11-20-01; 3-5-04; 1-4-07</td>
<td>11-20-01; 3-5-04; 1-4-07</td>
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(SIGNED) 1-4-07 (SIGNED) 1-4-07
Recommended by Date President, KCTCS Date

(Include all dates in chronological order)
2.14.2 Faculty and Staff Sick/Temporary Disability Leave

Employees shall be granted sick leave as approved based on their position title, duration category, time worked category, the personnel system under which they are governed, KCTCS policies and procedures, and laws. Employees shall confirm eligibility for sick leave with their supervisor and follow all policies and procedures for requesting and/or reporting sick leave.

Available sick leave may be taken in increments of no less than 0.25 hours when approved. Requests for sick leave shall be in advance if at all possible. Employees shall request from their supervisor the approval of sick leave, using the official KCTCS absence record/request form and medical documentation as required. In addition, a letter of request may be submitted along with the absence record/request form. All paid or unpaid sick leave requires the approval of employees’ supervisor in order to be considered excused leave time. Employees shall use the official KCTCS absence record/request form to accurately reflect the amount of sick leave taken during any given pay period, along with the time sheet (if applicable).

In the event that an absence may possibly be a qualifying event for Family Medical Leave (FML), when requesting approval for sick leave employees and supervisors shall ensure that the Family Medical Leave (FML) request form is completed and submitted for a determination to be made regarding whether or not the absence shall be approved as a FML qualifying event. FML shall run concurrent with other paid and unpaid leave time, including paid sick leave and leaves due to injuries/illness that are covered by Workers’ Compensation, in accordance with the KCTCS family medical leave policy and related human resources procedures.

Regular faculty and staff shall be approved for up to thirty (30) working days of paid or unpaid sick leave (which could include banked leave) or unpaid special leave by the college president/ceo for purposes of new child care following the birth of their child or the adoption of a child under the age of seven. Employees may request additional paid or unpaid leave beyond the 30 working days in accordance with KCTCS policies and procedures regarding sick leave, vacation leave, special leave, or other leave programs subject to the approval of the college president/ceo. Medical complications arising in conjunction with the new child care of the adopted child, when supported by appropriate medical statements, are grounds for authorizing additional leave.

For employees who are eligible and/or approved for pay for lost time from work under Workers’ Compensation, the pay received for lost time from work from the Workers’ Compensation carrier may be supplemented by the use of available temporary disability/sick leave pay at the employee’s request, with the combined amount not to exceed the amount of the employee’s regular salary immediately prior to going on leave due to the injury covered by Workers’ Compensation.
An employee on vacation leave who becomes ill or injured while on vacation may substitute TDL for vacation leave for the pertinent period of temporary disability (if available and applicable) upon request by the employee and with the written certification of a physician. The employee shall submit this certification as soon as possible upon return from leave. If approved, the employee shall make the necessary corrections on their time sheet and/or absence record/request form and obtain the appropriate approval signature in order to complete the substitution of leave time.

Supervisors may require a physician’s certification or other health care professional’s certification for absences. In addition, supervisors may establish sick leave rules for their employees to adhere to that are consistent with this policy.

Supervisors shall review excess absenteeism with the employee and with the local human resources personnel. An employee who is absent from work on a regular basis, has an excessive use of unpaid leave, has excessive unplanned and/or unapproved absences, or has attendance patterns which interfere with his/her job shall not be entitled to the provisions of this policy unless the absences are qualifying events and the employee is eligible for the Family Medical Leave. In addition, abuse of TDL or the use of leave without pay may be cause for more restrictive reporting and certification requirements for use of TDL for an individual employee. Unapproved sick leave shall be unpaid. Excessive or unplanned absenteeism and tardiness are disruptive, and either violation may lead to disciplinary action, including termination of employment.

An employee who is not able to work regularly due to non-FML related absences may be separated from employment.

In addition, provisions regarding paid and unpaid sick leave shall be adhered to in accordance with other KCTCS policies and human resources procedures related to Family Medical Leave and leaves of absence.

A. Temporary Disability (Sick) Leave for Faculty Members

KCTCS Personnel System
Regular full-time faculty, and regular part-time faculty members who work 50 percent or more of a full-time schedule on an annualized basis, are entitled to the temporary disability (sick) leave provisions in this policy. Regular faculty may be absent up to five continuous working days with pay for a period of absence because of their own personal illness or injury. KCTCS requires appropriate notification so that class schedules and other professional duties can be covered. The supervisor may require faculty members to furnish medical documentation.

Faculty who are sick or injured and unable to work, resulting in the need for a period of absence longer than the initial five continuous working days, may submit a request for up to 30 calendar days of sick leave with pay. Such leave requests shall be reviewed and an approval determination made by the college president/ceo. If the need for TDL continues
beyond that time, faculty shall request approval of a renewal of additional TDL every 30 calendar days for a maximum of six months. Faculty members shall be required to submit medical documentation to the supervisor for each request of sick leave, including renewals and/or the ability to safely return to work for a sick leave.

Faculty who opted over from the 18A/151B personnel system shall retain their balance of banked sick leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

At the discretion of the college president/ceo, faculty members may be required to use their banked sick leave balance (banked as a result of opting over to the KCTCS personnel system from the 18A/151B personnel system) prior to being approved for the use of paid faculty sick leave.

Regarding requests for medical leave beyond six months or unapproved requests for sick leave, see KCTCS policies and procedures regarding vacation leaves, unpaid medical leaves of absence, special/other leaves, long-term disability insurance and/or the disability retirement provisions provided under the Kentucky Retirement System.

Faculty sick leave with pay may also be used for the purpose of tending to a serious illness suffered by a member of your immediate family, in the event the illness requires your personal time and attention, for up to five faculty sick days with pay within a six month period. Possible exceptions to the five day limit may be made by the college president/ceo, due to an employee’s extenuating circumstances, to allow up to a maximum of 30 working days of sick leave with pay. For purposes of this policy, immediate family includes spouse, child, parent, sibling, or person for whom you serve as legal guardian.

KCTCS may, at its sole and absolute discretion, require a doctor’s certificate verifying the necessity for any absence(s) due to sickness of a family member.

Faculty may not use paid sick leave until after three months of employment.

Temporary/adjunct faculty and regular part-time faculty working less than half-time are not eligible for paid temporary disability (sick) leave.

**UK Personnel System**

Paid sick leave may be granted to faculty members by the college president/ceo. Faculty who are totally disabled, are entitled to up to six months leave with pay. Faculty who remain disabled after six months of sick leave may qualify for long term disability benefits under the UK plan with premiums paid by KCTCS. Sick leave with pay for more than six months requires approval by a KCTCS Vice President or the KCTCS Chancellor.
Requests by regular faculty for purposes of the care of a new child (through birth or adoption) shall be approved by the college president/CEO for up to thirty (30) working days of temporary disability/sick leave (which could include banked leave). Faculty may request additional paid sick leave, vacation leave, or a special leave without pay for new child care for a period beyond the 30 working days, subject to the approval of the college president/CEO. Medical complications arising in conjunction with the care of the adopted child, when supported by appropriate medical statements, are grounds for authorizing additional leave.

For further information please see the UK benefits policies and regulations on the KCTCS website.

18A/151B Personnel System
If approved, paid or unpaid sick leave shall be granted subject to the terms specified in the Administrative Regulations for KRS Chapter 151B effective on June 30, 1998, located in Appendix I Section 2.

B. Temporary Disability (Sick) Leave for Staff Employees

KCTCS Personnel System
Regular full-time staff employees and part-time staff employees who work 50 percent or more of a full-time scheduled on an annualized basis who are absent from work because of a personal illness or injury shall be granted paid temporary disability leave (TDL) if they have an available leave balance and if the requested leave is approved.

Regular full-time employees accrue paid temporary disability (sick) leave at the rate of one day (7.5 hours) per month.

Regular part-time employees who work 50 percent or more of a full-time schedule on an annualized basis accrue paid TDL in an amount for the hours and/or days worked, directly proportionate to the amount received by full-time staff employees. The principle governing pro rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid TDL for an eligible employee who is not full-time but who works half-time or more.

Paid TDL allowance is earned for a month when employment commences on or before the fifteenth day of the month.

For eligible continuing employees the TDL accrued per month is available for use on the sixteenth day of that month (including the months during the new employee introductory period) for the months in which the employee is in a paid status for a minimum of half of the month.

Employees in an unpaid leave of absence for more than half of the month do not accrue TDL during that month.
In addition, no paid TDL is accrued in the final month of employment when termination occurs on or before the 15th day of the month.

In addition to their TDL leave earned under the KCTCS personnel system, staff who opted over from the UK personnel system or the 18A/151B personnel system shall retain their balance of banked TDL/sick leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

Employees shall use TDL, vacation leave, or compensatory leave (if applicable) during a period of temporary disability.

In addition to utilizing sick leave in the event of employees’ own illness, sick leave may also be used for the purpose of visiting doctors, dentists or other recognized practitioners. Sick leave may also be used for the purpose of tending to a serious illness suffered by a member of the employees’ immediate family, in the event the illness requires the employees’ personal time and attention. For purposes of this policy, immediate family includes spouse, child, parent, sibling, or person for whom the employee serves as legal guardian.

KCTCS may, in its sole and absolute discretion, require a doctor’s certificate verifying the necessity for absence(s). Accrued paid TDL or vacation leave shall be used during a period of temporary disability.

Employees shall exhaust all available paid leave time prior to going into a leave without pay status. Employees shall be in a leave without pay status only if accrued paid TDL, vacation leave, and compensatory leave (if applicable) are unavailable or are unapproved, or when employees have exhausted all accrued paid TDL, vacation leave, and compensatory leave (if applicable).

Provisions regarding unpaid leaves are specified in KCTCS policies and human resources procedures regarding unpaid medical leaves of absences.

Please note the relationship between this policy and the KCTCS Family and Medical Leave policy.

Upon termination of employment, there is no payout of terminal sick pay of the current balance of temporary disability leave days to the terminating employee.

**UK Personnel System**

Regular full-time staff employees and part-time staff employees who work 50 percent or more of a full-time schedule on an annualized basis who are absent from work because of a personal illness or injury shall be granted paid TDL if they have an available leave balance and if the requested leave is approved.
Regular full-time staff employees accrue paid TDL at the rate of one day (7.5 hours) per month.

Regular part-time staff employees who work 50 percent or more of a full-time schedule on an annualized basis accrue paid TDL in an amount for the hours and/or days worked, directly proportionate to the amount received by full-time staff employees. The principle governing pro rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid TDL for an eligible employee who is not full-time but who works half-time or more.

TDL accrual is earned for a month when employment commences on or before the fifteenth day of the month.

For eligible continuing employees the TDL accrued per month is available for use on the sixteenth day of that month (including the months during the new employee introductory period) for the months in which the employee is in a paid status for a minimum of half of the month.

Employees in an unpaid leave of absence for more than half of the month do not accrue TDL during that month.

Employees shall use TDL or vacation leave during a period of temporary disability.

Unless otherwise approved for additional leave time, a cumulative maximum of 30 working days of TDL in one year may be used for time off due to the illness or injury of a family member, defined as: spouse; child; grandchild; mother/father; grandmother/grandfather; brother/sister (including steps, halves, and in-laws of the above relatives); legal dependent of the employee; and another who resides in the employee’s household and for whom the employee has an obligation to provide care. A presumption of six weeks (30 working days) leave during recovery period shall be made in the case of childbirth. Up to a maximum of 30 working days of TDL may be used by employees for the adoption of a child and by male employees for the birth of his child.

Employees shall exhaust all available paid leave time prior to going into a leave without pay status. Employees shall be in a leave without pay status only if accrued paid TDL, vacation leave, and compensatory leave (if applicable) are unavailable or are unapproved, or when employees have exhausted all accrued paid TDL, vacation leave, and compensatory leave (if applicable).

Use of paid TDL for over six months shall be approved by the college president/ceo, or by the appropriate Cabinet member for system office employees.

Upon termination of employment, there is no payout of the current balance of TDL days to terminating employees.
18A/151B Personnel System

If approved, paid or unpaid sick leave shall be granted subject to the terms specified in the Administrative Regulations for KRS Chapters 18A and 151B effective on June 30, 1998, located in Appendix I Section 2.
2.14.2.1 Conversion of Staff Temporary Disability (Sick) Leave

Regular staff employees with a full-time equivalent (FTE) of 0.5 or greater under the UK personnel system who have a minimum accrued balance of 66 days of temporary disability leave (TDL), have a conversion option for extra vacation leave or credit toward retirement. Likewise, regular full-time and regular part-time staff employees (who work a schedule of 50 percent or more of a full-time schedule on an annualized basis) under the KCTCS personnel system who elected to opt over from the UK personnel system and have a minimum accrued balance of 66 days of temporary disability leave (TDL), have a conversion option for extra vacation leave or credit toward retirement. It is the intention of this policy to reward loyal, long-time employees who remain healthy as well as to encourage employees to use TDL only when necessary.

Conversion is available for regular part-time staff employees (who work a schedule of 50 percent or more of a full-time schedule on an annualized basis) if the employee has TDL accrual which is pro rata the equivalent to 66 days. For example, an employee who works 50 percent, an accrual of 33 days shall be maintained to be eligible for conversion.

KCTCS Personnel System and UK Personnel System

Annual Conversion of Temporary Disability Leave

Upon accumulating a balance of more than 66 temporary disability leave days, regular full-time employees may, on an annual basis, voluntarily convert a portion of their accrued temporary disability leave to vacation leave. Staff who opted over may use their combined TDL balance (banked balance earned under the UK personnel system and the TDL balance accrued under the KCTCS personnel system) to count toward eligibility or this conversion option. Employees shall have accumulated and shall retain a minimum balance of 66 temporary disability leave days following the conversion in order to be eligible for this alternative conversion option. Only days in excess of 66 accrued temporary disability leave days may be converted. One vacation leave day shall be acquired for each three temporary disability leave days converted. A maximum of 12 temporary disability leave days may be converted in any one fiscal year.

Employees who convert 12 temporary disability leave days and who did not use any temporary disability leave days during that fiscal year shall acquire five vacation leave days as a result of the conversion.

The annual conversion shall occur only in the month of April. The days acquired through the conversion shall be counted as vacation days earned in the current fiscal year. Any converted day(s) shall become a part of the employees’ vacation leave balance and shall be used in accordance with Kentucky Community and Technical College System administrative policies and procedures regarding staff vacation leave. Conversion of temporary disability leave for vacation leave shall be final. Employees who have a minimum balance of 66 temporary disability leave days plus three or more days for
conversion and who desires to convert accrued temporary leave days to vacation leave days shall, in consultation with the human resources department, complete the appropriate form. Conversion of accrued temporary disability leave to vacation leave for the preceding fiscal year shall be completed between April 1 and April 30.

Any costs as a result of this policy shall come from the department’s regular salary account.

**Temporary Disability Leave Conversion at Retirement**

The option for staff employees to convert a portion or all of their temporary disability leave accrued balance at retirement may be done in accordance with KCTCS Board Policy 3.7.3.5- *Sick Leave Conversion* if they meet the eligibility requirements set forth below.

1) If, at retirement, regular full-time employees who participate in the KCTCS 403b retirement plan have a minimum of 66 days of accrued TDL, employees may apply the entire accrual (less days opted for full payment under section b. below) toward the employees’ service date for regular retirement and/or the age requirement for early retirement.

   a. For employees hired prior to July 1, 1995, KCTCS shall pay the employee an amount equal to that which the employer would have contributed to the employees’ retirement plan if the employee had worked the same period of time.

   **Example**

   An employee is 66 days 'short' of eligibility for retirement and has 66 days of accrued TDL, the employee’s TDL accrual could be applied to fulfill the retirement eligibility requirement. Also, the employee shall receive a lump sum payment based on the total number of TDL days (less days opted for full payment under section b. below). The amount of the lump sum payment shall be determined by taking the remaining number of TDL days (valued at the daily or hourly pay), multiplied by the retirement percentage contribution for the employee.

   b. Employees hired prior to July 1, 1995, who has a minimum of 66 days of accrued TDL, may choose to take a cash award for the TDL balance, not to exceed the salary equivalency of 22 days.

   **Example**

   Total days of accrued TDL 66 days
   Less days opted for full payment 22 days
   Balance of accrued TDL 44 days
   Daily rate of pay (annual salary of $26,000 divided 260 work days) $100
   Value of accrued TDL (44 days x $100) $4,400
   Multiplied by normal retirement contribution percentage 10%
   Lump sum payment to employee $440.
c. The remaining balance, if any, may be applied to the employees’ service and/or age eligibility toward retirement.

**18A/151B Personnel System**

For employees under this personnel system sick leave conversion is addressed in the provisions of their retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.
2.14.2.2 KCTCS Family and Medical Leave Policy

KCTCS provides eligible employees with unpaid, job-protected leave for certain conditions in accordance with the Family and Medical Leave Act of 1993 (as amended in 2008). To request Family and Medical Leave (FML), please notify your supervisor or local Human Resources Director. System Office employees may notify the supervisor or Employee Relations to request Family and Medical Leave.

I. Eligibility

All employees who have worked for KCTCS for a minimum of 12 months within the last seven years and have worked for KCTCS at least 1,250 hours during the 12 calendar months immediately preceding the request for FML may request FML for a serious health condition involving the employee or a qualified family member for the reasons listed below:

1. To care for the employee’s son or daughter (during the first 12 months) following birth of the employee’s child;
2. To care for a child (during the first 12 months) following a placement of a child with the employee for adoption or foster care;
3. To provide care for a spouse, son, daughter, or parent (“covered relation”) with a serious health condition;
4. For incapacity due to the employee’s pregnancy, prenatal medical care or child birth;
5. For the employee’s own serious health condition that renders the employee unable to perform (an) essential function(s) of his/her position;
6. For certain qualifying exigencies involving the military or;
7. To care for a covered servicemember.

The minimum 12 months of service are not required to be consecutive. Employment prior to a break in service of seven years or more will not be counted, unless:

(1) The break in service was caused by the employee’s active duty with the National Guard or Reserve or;
(2) There was a written agreement that the employer intended to rehire the employee after the break in service.

Employees who are unsure about their eligibility for FML should contact the department supervisor, respective college Human Resources Director, or the System Office Employee Relations Department for more information.
II. Determining Available FML Time

KCTCS uses the following methods for determining available leave:

A. Employees not in the Military
   Eligible employees may request up to 12 weeks of FML in a twelve (12) month period. When an employee requests FML, the 12 months immediately prior to the effective date of the current requested leave is the time frame used to determine whether FML time is available. The amount of time available depends on any FML time used within that twelve (12) month period. The twelve (12) month period "rolls back" from the effective date of the current requested leave to the prior twelve (12) month period.

B. Employees in the Military
   Eligible employees may request up to 26 weeks of FML during a single twelve (12) month period to care for a spouse, son, daughter, parent or next of kin with an illness or injury incurred in the line of duty while in the Armed Forces, National Guard or Reserves.
   
   Eligible employees may use any of his or her 12 weeks allotment to take FML because of any qualifying exigency arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.
   
   The twelve (12) month period “rolls forward” from the effective date of the current requested leave for Military Servicemember leave.

III. Employee Responsibilities (wherein include but are not necessarily limited to):

- Foreseeable Leave - If the need to use FML is foreseeable, then the employee shall give at least 30 days’ prior notice of the need to take leave. When 30 days’ notice is not feasible, the employee shall give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of FML. The employee shall give notice as soon as practicable (within 2 business days, if feasible) if the dates of the leave change, are extended, or were unknown initially.

- FML Forms - Forms are located on the KCTCS forms page, or may be requested from the supervisor or Human Resources. Whenever possible, completed forms should be submitted to the employee’s department head, respective college Human Resources Director or system office Employee Relations (for system office employees). It is the joint responsibility of the employee’s department supervisor or designee and a Human Resources designee to determine the approval for FML.
Employees shall provide sufficient information for KCTCS to determine if the leave may qualify as FML.

- **Certification and Recertification** - Employees shall be required to provide a certification and periodic recertification supporting the need for FML, in accordance with the law.

- **Reporting Absences** - Employees shall follow standard policies, procedures and practices for reporting absences. Calling in sick without providing more information shall not be considered sufficient notice for FML.

### IV. Employer Responsibilities (wherein include but are not necessarily limited to):

- When an employee requests leave, KCTCS shall inform the employee whether he/she is eligible under the FMLA. If the employee is eligible, KCTCS shall provide the employee with a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, KCTCS shall provide the employee with a written notice indicating the reason for ineligibility.

- If leave is designated as FML, KCTCS shall inform the employee in writing and provide information on the amount of leave that shall be counted against the employee’s approved 12 or 26 week entitlement.

- If an absence is identified as FML after the leave has begun or after the employee has returned, the absence may retroactively be designated as FML within two working days of the employee’s return to work.

- The application of this FML policy shall be coordinated with applicable KCTCS policies and procedures regarding temporary disability leave/sick leave, vacation leave, unpaid medical leave, long term disability, special leave/other leave, and all other applicable laws, regulations, and/or KCTCS policies.

- If the requested leave exceeds the approved period of FML, KCTCS shall evaluate the request in accordance with other applicable laws, regulations, and/or KCTCS policies and procedures. KCTCS reserves the right to disapprove such a request at its sole discretion.

### V. Pay, Benefits, and Protections (wherein include but are not necessarily limited to):

#### A. Pay During an FML

- FML is unpaid leave unless employees are eligible for short- or long-term disability payments and/or workers’ compensation benefits under those insurance plans if leave is taken because of an employee’s own serious health condition. During a period of
disability, employees may be eligible for disability pay benefits. Provisions for disability benefits are stated in the applicable policies, statutes, and regulations regarding eligibility for long-term or short-term disability, benefit amounts, filing deadlines, and filing procedures.

- KCTCS requires employees to substitute available paid leave time for unpaid leave during FML leave. Employees’ pay status during an FML leave shall be determined in accordance with KCTCS policies regarding paid and unpaid leaves of absence. FML leave runs concurrent with other paid leave time, where necessary. Therefore, during FML, employees shall use any paid leave in accordance with all leave policies, including banked leave time, but excluding up to 10 days of annual leave and 10 days of sick leave (when requested by the employee) for employees in the 18A/151B personnel system, prior to going into a leave without pay status. Paid and unpaid FML shall be coordinated with other leaves and benefits policies, procedures, and regulations.

- In no case may the substitution of paid leave time for unpaid leave time result in an employee receiving more than one hundred (100) percent of their salary.

- KCTCS requires eligible employees taking FML for a qualifying exigency or to care for an injured or ill family in the military to substitute paid sick, vacation or banked leave time for unpaid FML.

B. Benefits During an FML

- KCTCS shall maintain the employee’s health benefits as if the employee continued to be actively employed during an approved FML. KCTCS shall deduct the employee’s portion of the health plan premium as a regular payroll deduction if paid FML is substituted for unpaid FML. The employee shall pay his/her portion of the premium through one of the following payment options if FML is unpaid:

  a) Pre-payment of premiums (employee pays premiums prior to going on leave)
  b) Pay-as-you-go (employee pays premiums while on leave)
  c) Catch-up (employer initially pays employee’s share of premiums, then is reimbursed by the employee upon employee’s return from FML.)

- The employee shall make arrangements with the benefits office prior to going on FML, or as soon as possible for unforeseeable FML conditions, regarding the chosen method of payment for the employee’s portion of health care premiums. An employee’s healthcare coverage may cease if the employee’s premium payment is more than 30 days late.

- If the employee chooses not to return to work for at least 30 calendar days at the end of the leave period, the employee will be required to reimburse KCTCS for the cost of
the premiums paid by KCTCS for maintaining coverage during the unpaid FML, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee’s control.

- KCTCS will maintain the employee’s health coverage under any group health plan(s) on the same terms as if the employee had continued to work during FML. The use of FML shall not result in the loss of any employment benefit that accrued prior to the start of the employee’s FML.

C. Job Restoration under FMLA

- Upon returning from FML, most employees shall be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

- KCTCS requires a fitness for duty form to be completed and submitted upon return from FML. Employees shall obtain this form from the KCTCS forms page, his or her supervisor, the respective college Human Resources Director or system office Employee Relations. This form shall be completed by the employee’s physician or health care provider who completed the FML form.

- If any employee is unable to perform the essential functions of his or her position because of a physical or mental condition, the employee has no right to restoration to another position. Under such circumstances, the ADA shall determine KCTCS’ obligation to the employee.

VI. Definitions (wherein include but are not necessarily limited to):

Medical Certification

- If the employee is requesting FML because of the employee’s own serious health condition or a covered relation’s serious health condition, the employee and the relevant healthcare provider shall supply appropriate medical certification.

- KCTCS shall notify the employees who request FML of the requirement for medical certification and when it is due (no more than 15 days after the employee requests leave). If the employee provides at least 30 days’ notice of FML, he or she should also provide medical certification before the FML is scheduled to begin. The employer shall allow seven (7) days for the employee to cure any deficiency on the medical certification form.

- Failure to provide requested timely medical certification may result in denial of leave until it is provided.

- KCTCS, at its expense, may require an examination by a second healthcare provider designated by KCTCS, if it reasonably doubts the medical certification initially provided. If the second healthcare provider’s opinion conflicts with the original
medical certification, KCTCS, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

- KCTCS may require subsequent medical recertification in accordance with the FMLA. Failure to provide requested recertification, except in extraordinary circumstances, may result in the delay of further leave until it is provided.

Married Couples
- A husband and wife who are eligible for FML and are both employed by KCTCS may be limited to a combined total of 12 weeks of leave during any twelve (12) month period if the leave is taken:
  1) For birth of the employee's son or daughter or to care for the child after birth;
  2) For placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement; or
  3) To care for the employee’s parent with a serious health condition.

Intermittent FML
- Intermittent FML may be taken for the following:
  1) a serious health condition of a parent, son, or daughter,
  2) the employee's own serious health condition,
  3) a serious injury or illness of a covered service member.

In order to qualify as intermittent FML, the leave shall require treatment by a health care provider periodically, rather than for one continuous period of time. This may include leave of periods from an hour or more to several weeks. Eligible employees may take the FML intermittently (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the usual number of hours worked per workweek or workday) if medically necessary.

- KCTCS may temporarily transfer an employee on approved intermittent or reduced-schedule FML to an available alternative position that better accommodates the recurring leave, and which has equivalent pay and benefits. If the FML is unpaid, KCTCS shall reduce the employee’s salary based on the amount of time actually worked.

- Employees are required to make reasonable efforts to schedule intermittent FML for planned medical treatment in order not to unduly disrupt KCTCS operations.

- FML is not permitted to be taken on an intermittent basis when used to care for the employee’s own child during the first year following birth, or to care for a child
placed with the employee for foster care or adoption unless it is in the best interest of KCTCS, and agreed upon by KCTCS and the employee in advance.

- All intermittent FML shall be tracked by the employee and the employee’s supervisor. Absences resulting from intermittent FML shall be reported to the supervisor and college Human Resources Director (for respective college employees) or system office Employee Relations (for system office employees) as soon as possible or at the end of each pay period.

**Exemption for “Key Employees”**

- Key employees (i.e., highest-paid 10 percent of employees at a worksite or within a 75-mile radius of that worksite) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial economic injury to KCTCS. This fact-specific determination shall be made by KCTCS on a case-by-case basis. KCTCS shall notify employees if they qualify as “highly compensated” employees only if KCTCS intends to deny reinstatement, and of the employees’ rights in such instances.

**Military Family Leave**

- A covered servicemember is defined as a current member of the Armed Forces, National Guard or Reserves, who is undergoing medical treatment, recuperation, therapy, or is otherwise in outpatient status or on the temporary disability retired list for a serious injury or illness.

**Military Caregiver Leave**

- When both husband and wife work for KCTCS, the combined amount of leave that can be taken by the husband and wife to care for a covered servicemember is 26 weeks in a single 12-month period.

- Covered servicemember leave may be taken only during one 12-month period, on a per-covered servicemember, per-injury basis. The single 12-month period is measured forward from the date the employee’s leave to care for the covered servicemember begins.

**Qualifying Exigency Leave (wherein includes but is not necessarily limited to):**

1) Short-notice deployment (up to 7 days of leave).
2) Attending certain military events.
3) Arranging for alternative childcare.
4) Addressing certain financial and legal arrangements.
5) Periods of rest and recuperation for the servicemember (up to 5 days of leave).
6) Attending certain counseling sessions.
7) Attending post-deployment activities (available for up to 90 days after the termination of the covered service member’s active duty status).
8) Any other activities arising out of the servicemember’s active duty or call to active duty that are agreed upon by KCTCS and the employee.
KCTCS reserves the right at any time to modify, alter, or amend this policy, whole or in part, retroactively or otherwise, in such respect and to such extent that is necessary to meet any legal requirement and to the extent necessary to accomplish this purpose. KCTCS is hereby granted authority to issue interpretations and clarify rules under this policy and/or coordinate it with or modify other rules of the organization as required for compliance with the law.
2.14.2.3 Unpaid Medical Leaves of Absence

**KCTCS Personnel System**

Accrued temporary disability leave and/or vacation leave shall be used during the period of temporary disability until the paid leave is exhausted. Employees shall be in a leave without pay status when accrued temporary disability leave and vacation leave are exhausted. However, in order for an employee’s leave without pay to be considered an approved leave, a formal approval shall be requested and a determination made regarding the approval.

Upon a written request by or on behalf of an employee, KCTCS shall determine if an extended unpaid leave of absence for an employee’s illness, disability or pregnancy shall be approved, at the discretion of the college president/CEO, or of the appropriate cabinet level official for a system office employee. To request an unpaid medical leave of absence from the supervisor, an employee shall submit to the supervisor and college president/CEO, or have someone submit on his/her behalf, a written request along with a statement of ill health or disability from the employee’s doctor stating the need to be off work for a specified period of time. An approved unpaid medical leave may initially be granted for up to ninety (90) calendar days. If necessary, an employee may request extensions beyond that period in thirty (30) calendar day increments, for a total maximum of one (1) year. Such a request for each extension shall also be made in writing and submitted along with an additional statement of ill health or disability from the employee’s doctor stating the need to be off work for a specified period of time.

The college president/CEO, or the appropriate cabinet level official for a system office employee, may disapprove all or any portion of any request, for an unpaid medical leave.

Employees are required to give as much notice as possible of their pending need for an unpaid medical leave of absence.

In the case of pregnancy, employees shall inform their supervisor as soon as possible of the date that their doctor anticipates that they will need to begin their leave.

KCTCS shall attempt to either hold employees’ position open during an approved unpaid medical leave of absence or to allow them to return to a similar position that is available for which they are qualified. For employees whose unpaid medical leave of absence is also a Family Medical Leave, upon return from the leave they shall return to their original position or to a like position.

At the time a sick/disability leave begins, an employee shall use any accrued paid temporary disability/sick leave, vacation/annual leave, and/or compensatory leave until it is exhausted prior to going into a leave without pay status. KCTCS administrative policies, procedures, and regulations regarding vacation/annual and temporary disability/sick leaves state provisions regarding the loss of accrual of leave time during an unpaid leave of absence.
Employees shall review their group insurance booklet to determine the available insurance coverage during a leave of absence. In addition, KCTCS employee benefits policies and procedures state provisions regarding the loss of the employer insurance premium contribution during certain unpaid leaves of absence, and employees’ responsibility regarding payment of insurance premiums in order to ensure continuation of insurance coverage.

Employees who remain away from work either: 1) for more than the period of time allowed by this policy, 2) for an unapproved or partially unapproved leave of absence, or 3) who fail to request such a leave, shall be considered to have resigned from their employment.

Upon returning from an unpaid medical leave, employees shall be required to submit a physician’s fitness for duty statement. In order for employees to be able to return to work, this statement shall give approval that returning to work in their present position shall not jeopardize their health or the safety of others.

Additional provisions regarding leaves of absence shall be adhered to in accordance with other KCTCS policies and human resources procedures related to leaves of absence.

**UK Personnel System**

Accrued temporary disability leave and/or vacation leave shall be used during the period of temporary disability until the paid leave is exhausted. Employees shall be in a leave without pay status when accrued temporary disability leave and vacation leave are exhausted. However, in order for an employee’s leave without pay to be considered an approved leave, a formal approval shall be requested and a determination made regarding the approval.

Upon a written request by or on behalf of an employee, KCTCS shall determine if an extended unpaid leave of absence for an employee’s illness, disability or pregnancy shall be approved, at the discretion of the college president/ceo, or of the appropriate cabinet level official for a system office employee. To request an unpaid medical leave of absence from the supervisor, an employee shall submit to the supervisor and college president/ceo, or have someone submit on his/her behalf, a written request along with a statement of ill health or disability from the employee’s doctor stating the need to be off work for a specified period of time.

The college president/ceo, or the appropriate cabinet level official for a system office employee, may disapprove all or any portion of any request, for an unpaid medical leave.

Employees are required to give as much notice as possible of their pending need for an unpaid medical leave of absence.
In the case of pregnancy, employees shall inform their supervisor as soon as possible of the date that their doctor anticipates that they will need to begin their leave.

KCTCS shall attempt to either hold employees’ position open during an approved unpaid medical leave of absence or to allow them to return to a similar position that is available for which they are qualified. For employees whose unpaid medical leave of absence is also a Family Medical Leave, upon return from the leave they shall return to their original position or to a like position.

KCTCS administrative policies, procedures, and regulations regarding vacation/annual and temporary disability/sick leaves state provisions regarding the loss of accrual of leave time during an unpaid leave of absence.

Employees shall review their group insurance booklet to determine the available insurance coverage during a leave of absence. In addition, KCTCS employee benefits policies and procedures state provisions regarding the loss of the employer insurance premium contribution during certain unpaid leaves of absence, and employees’ responsibility regarding payment of insurance premiums in order to ensure continuation of insurance coverage.

Employees who remain away from work either: 1) for more than the period of time allowed by this policy, 2) for an unapproved or partially unapproved leave of absence, or 3) who fail to request such a leave, shall be considered to have resigned from their employment.

Employees who are absent from work on a frequent or regular basis or who have attendance patterns which interfere with accomplishment of assigned job responsibilities are not entitled to the provisions of this policy. Employees who are not able to work regularly may be separated from employment (see KCTCS and UK policies regarding temporary disability leave, disciplinary action, and separation from employment).

Upon returning from an unpaid medical leave, employees shall be required to submit a physician’s fitness for duty statement. In order for employees to be able to return to work, this statement shall give approval that returning to work in their present position shall not jeopardize their health or the safety of others.

Additional provisions regarding leaves of absence shall be adhered to in accordance with other KCTCS policies and human resources procedures related to leaves of absence.

**18A/151B Personnel System**

For employees under this personnel system unpaid leaves of absence is addressed in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.
Additional provisions regarding leaves of absence shall be adhered to in accordance with other KCTCS policies and human resources procedures related to leaves of absence.
2.14.2.4 Sick Leave Pool

On a voluntary basis employees who accrue sick leave may elect to participate in a KCTCS system-wide Sick Leave Pool.* The pool is intended as a source of salary continuance for pool members whose appropriately documented serious health conditions (as defined in the Family Medical Leave Act) prevent them from working and whose sick and vacation leave balances have been (or shall be within 15 days) exhausted. For the purposes of this policy, serious health conditions include both medically documented physical and mental illness, including disabilities resulting from complications from pregnancy, miscarriage, or childbirth. However, leaves of absence due to regular maternity leave are excluded as eligible health conditions for the purposes of this policy.

Employees with sick leave balances of at least 50 hours may elect to join the pool at anytime after they have met the minimum balance required. The effective date shall be at the beginning of the pay period following the election to participate. Pool members may withdraw at anytime. However, their contributed sick leave time remains in the pool and shall not be returned to employees who elect to withdraw from the pool.

To participate employees shall contribute 2 days (15 hours) of sick leave per year to the pool. Contributions shall be deducted from the employee’s sick leave balance within 30 days of enrollment, and annually thereafter at the employee’s anniversary date.

Awards of up to 150 hours (20 work days) may be made by the KCTCS Sick Leave Pool Committee upon application from a pool member whose sick and other paid leave is exhausted and who is approved for receipt of Sick Leave Pool hours by the Sick Leave Pool Committee. A single member may receive up to 3 awards per year (450 hours maximum).

Applications shall include all appropriate medical documentation to provide information to determine if it meets the definition of an employee’s serious health condition as specified under the Family Medical Leave Act. Awards shall be integrated with other KCTCS-sponsored income continuation benefits (e.g., long-term disability) and Family Medical Leave, if applicable.

The Sick Leave Pool Committee shall have 5 members including the KCTCS System Director of Human Resources or designee who shall serve as chair. Decisions of the Sick Leave Pool Committee shall be final.

Sick Leave Pool Committee members shall be appointed by the KCTCS President and shall include at least one member on the committee from among current pool participant/contributors.

The Sick Leave Pool Committee shall set and publish application procedures. Due to federal privacy laws, committee members and other KCTCS and college officials shall
maintain confidentiality of names, identities, and illnesses of the employees who make requests or are recipients of leave from the Sick Leave Pool.

In addition, requests and absences related to the Sick Leave Pool shall be addressed in accordance with other applicable KCTCS policies and human resources procedure(s) regarding leaves of absence, family medical leaves, Workers’ Compensation, long-term disability, and unpaid medical leaves of absence.

* Since regular faculty in the KCTCS personnel system and the UK personnel system do not accrue sick leave, they are not eligible to participate in the program, except for the ability to donate banked sick leave that was earned on an accrual basis prior to opting over from the 18A/151B personnel system to the KCTCS personnel system.
2.14.2.5 Sick Leave Sharing Program

This policy applies to any regular employee (as opposed to temporary) who has successfully completed the introductory period and is governed by policies in which the employee may accrue paid sick leave time.*

A. Eligibility Requirements

Donor
• Any regular status employee (Staff or Faculty) who has an accrued sick leave balance of more than 75 hours (including banked hours).
• Shall maintain a minimum sick leave balance of 75 hours following any donation.

Recipient
• Shall be a regular employee who has successfully completed their introductory period.
• Shall have exhausted all available and accrued paid leave, including sick/TDL, vacation/annual and compensatory leave, banked sick/TDL, banked vacation/annual leave, and any time received as a result of participation in the KCTCS Sick Leave Pool.
• Leave shall be used exclusively for a medical condition of an employee or to care for an employee’s family member, as defined by KCTCS staff TDL policy, that is considered a qualifying event as defined under the Family and Medical Leave Act (FMLA). The employee’s or family member’s health care provider, as defined under the Family and Medical Leave Act (FMLA), shall document the condition resulting in the leave for submission to college/KCTCS officials prior to approval of the donation.
• The condition resulting in the leave shall require the employee to be absent for at least ten full consecutive workdays.
• Shall not have been disciplined for abuse of sick leave or excessive absences within the past 12 months.

B. Donation Stipulations

Donations shall only be made by and used for eligible employees employed within KCTCS.

Minimum amount to be donated
7.5 hours

Maximum amount to be donated
There is no maximum. However, every donor shall maintain a minimum sick leave balance of 75 hours following any donation.

Minimum donated amount to be used by recipient
.25 hours
Where multiple donors donate sick leave to the same recipient, the sick leave shall be transferred to the eligible recipient in chronological order of receipt from donors’ forms up to the maximum that has been certified to be needed by the recipient.

Donated sick leave shall be used in the order in which it is donated and shall be used on consecutive days of absence except as provided in this policy. Leave that an employee accrues while receiving donated leave shall be used before donated sick leave.

Interested donors may initiate contact with their local Human Resources office to donate their leave time to employees who have a need to participate as recipients in the program. In addition, if necessary to obtain a sufficient number of donations, an official communication of a request for donations shall be made by the local Human Resources personnel. Due to federal privacy laws, any communication by college officials or system office officials (for system office employees) shall be made by withholding the name, identification, and the illness of the prospective employee recipient to ensure employee privacy.

When the recipient of donated leave returns to work, unused donated leave shall be restored to the donor(s) within 30 calendar days of the return date, unless the recipient provides medical evidence that he or she will require continued, intermittent medical treatment, and/or a reduced work schedule relating to the original condition for which leave was donated.

No employee shall directly or indirectly intimidate, threaten, or coerce any other employee for the purpose of interfering with the employee's right to voluntarily contribute sick leave under this program. For the purpose of this program, "intimidate, threaten, or coerce" shall include, without being limited to, the promise to confer or the conferring of any benefit or gain, or effecting or threatening to effect any reprisal.

Employees who have given notice of termination and/or retirement (oral or written) shall not donate or receive sick leave.

All sick leave donations shall be approved by the college president/ceo, or by the KCTCS Chancellor or KCTCS Vice President for System office employees, following receipt and confirmation of all appropriate documentation and information (leave sharing requests, leave donation forms, statements from health care practitioners, etc.).
In addition, provisions regarding sick leave sharing shall be adhered to in accordance with other KCTCS policies and human resources procedure(s) related leaves of absences, family medical leave, and unpaid medical leaves of absence.

*Since regular faculty in the KCTCS personnel system and the UK personnel system do not accrue sick leave, they are not eligible to participate in the program, except for the ability to donate banked sick leave that was earned on an accrual basis prior to opting over from the 18A/151B personnel system to the KCTCS personnel system.
2.14.3 Unauthorized Absences or Leaves

Employees who are absent from work without adequate notice to and advance approval from the employees’ supervisory official may be subject to loss of pay and/or disciplinary action. Severe or repeated infractions may be considered as justification for the non-renewal of a contract, or termination of employment before the end of the appointment period.

In addition, abuse or misuse of sick/temporary disability leave (TDL) or other paid leave may be cause for more restrictive reporting and certification requirements for the individual employee in order for the use of paid sick/TDL or other paid leaves to be approved for an individual employee. Unapproved sick leave shall be unpaid.

Furthermore, excessive or unplanned absenteeism and tardiness are disruptive. Employees who have absences due to excessive use of paid or unpaid leave due to non-Family Medical Leave absences, or other frequent absences due to other reasons, may be separated from employment.

In addition, unauthorized absences or leaves shall be addressed in accordance with KCTCS policies and human resources procedures regarding leaves, pay, attendance, scheduling/hours of work, compensation, progressive discipline, and job abandonment.

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2.14.4 Voting Leave

**KCTCS Personnel System**

Employees who are eligible to vote in national, state, or local elections, are encouraged to exercise their voting privileges. Employee work schedules normally permit adequate time for employees to exercise their voting privilege, either before or after normal working hours. However, in the case where voting cannot be accomplished in off-duty hours, KCTCS shall grant employees time off with pay (not to exceed two hours) to vote on election day.

If employees desire time off to vote, they shall submit a request to their supervisor at least one working day in advance of the election.

If employees do not submit their request at least one working day in advance for time off to vote, they may still receive time off to vote but it shall be using vacation leave, compensatory leave, flexible scheduling, or leave without pay.

Regular full-time employees and regular part-time employees who work 50 percent or more of a full-time schedule on an annualized basis who accept a position as an election official shall use accrued vacation leave or compensatory leave for that absence.

**UK Personnel System**

Faculty and staff are encouraged to exercise their voting privileges at all national, state and local elections.

Work schedules shall normally permit adequate time for faculty and staff to exercise their voting privileges, either before or after normal working hours, and it is encouraged that they use this period of time to vote whenever possible. When this is not possible, regular full-time faculty and staff entitled to vote may be granted time off from regular duties for up to four hours for the purpose of voting on election days. The employer may specify the hours during which employees may be absent from work for voting purposes.

Faculty and staff who are absent for such purpose shall not be subject to any penalty or deduction from pay.

Faculty and staff who vote in distant communities are encouraged to exercise their right to vote by absentee ballot to avoid absence from work.

Regular full-time employees and regular part-time employees who work 50 percent or more of a full-time schedule on an annualized basis who accept a position as an election official shall use accrued vacation leave or compensatory leave for that absence.
18A/151B Personnel System
For employees under this personnel system unpaid leaves of absence is addressed in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B in effect as of June 30, 1998, located in Appendix I (Section 2) of this manual.

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Recommended by Date  President, KCTCS Date
2.14.5 Political Leave

Like other citizens, KCTCS employees are free to engage in political activities, so far as they are permitted to do so within conflict of interest statutes and their job–related obligations. When necessary, leaves of absence without pay may be approved for the duration of an election campaign or a term of public office; provided that there has been a timely application for leave and that the requested leave is limited to a reasonable period of time. The terms of a leave of absence for this purpose shall be set forth in writing. The leave shall not affect unfavorably the tenure status of a faculty member, except that the time spent on such leave from academic duties does not count as faculty probationary service or staff introductory period unless agreed to otherwise. Regarding part-time service in public office while actively employed, see KCTCS administrative policies and procedures regarding outside employment, external workloads, and running for or serving in elective or appointive office.
2.14.6 KCTCS Sabbatical Leave

The purpose of all sabbatical leaves is to provide opportunities for study, research, creative effort, improvement of teaching capabilities and methods and related travel in order that the quality of each recipient’s service to the KCTCS students may be enhanced.

Faculty Sabbatical Leave. Faculty members are eligible for leaves of absence after six years of continuous service with KCTCS and/or antecedent organizations for leaves of absence under a different option after three years of continuous service. All such sabbatical leaves shall be approved by the Chancellor.

After six years of continuous eligible service, an individual may apply for one year’s leave (academic year for appointees on academic year, 10-month, 11-month, or 12-month assignments) at one-half salary or six months’ leave (academic semester for appointees on academic year, 10-month, 11-month, or 12-month assignments) at full salary.

After three years of continuous eligible service, an appointee may apply for six months’ leave, a mini-sabbatical (academic semester for appointees on academic year, 10-month, 11-month, or 12-month assignments) at one-half salary. Normally, "continuous service" is interrupted by a sabbatical leave; i.e., no service prior to a sabbatical may be credited toward eligibility for future sabbatical leave. However, in the event that it becomes necessary for an individual to postpone a sabbatical leave at the request of and/or for the benefit of KCTCS or one of its education units, the period of postponement shall be counted as part of the six years of service necessary for the individual to again become eligible for sabbatical leave. The request for and/or agreement that the sabbatical leave be postponed must be made in writing by the president/ceo of the individual’s institution and be approved by the Chancellor. The request or agreement must specify the period of postponement and the reason for it. In no case shall cumulative sabbatical leave be granted for a single period longer than one full year at full salary.

Leaves of absence without pay are not normally credited toward eligibility for sabbatical leave. However, exception maybe made when the leave enhances the value of the individual to KCTCS, e.g., a leave to accept a fellowship or a grant, service for professional organizations, etc. In no case shall the leave of absence without pay be considered as an interruption of continuous service. Sabbatical leave shall be granted with the understanding that the recipient, following the leave, will continue in service with the KCTCS for at least the length of the sabbatical leave.

Faculty may be required to document employment offers, and admission to educational programs prior to the granting of any sabbatical leave. KCTCS may also require you to furnish evidence of satisfactory work or academic performance in sabbatical period activities. Faculty earnings during sabbatical leaves may not exceed a faculty member’s regular KCTCS earnings.
To enable KCTCS to plan its instructional offerings during your absence on sabbatical, leave requests must be submitted six months before you plan to begin the leave. Your institution president/ceo must notify you within 60 days if your requested leave is to be postponed or denied and the reasons for the delay or the denial.

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2.14.7 Educational Leave

To pursue an advanced degree, regular full-time faculty members may request half-time or more leave, with proportional reduction in salary. If such educational leave for faculty development is recommended by the college president/CEO and approved by the KCTCS Chancellor, the faculty members shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Although a period of educational leave shall not be credited toward eligibility for sabbatical leave, it shall not be considered as an interruption of continuous service. Also, for tenure-track faculty members, such a period of educational leave shall not be counted as probationary period service.

2.14.8 Scholarly Fellowship Leave

To accept a scholarly fellowship which allows a faculty member to pursue a program of research, and which the funding agency will not process through the Kentucky Community and Technical College System, a faculty member may request leave with partial pay. If such leave is recommended by the college president/CEO and approved by the KCTCS Chancellor, the faculty member shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Time spent on scholarly fellowship leave shall count as probationary period service unless the KCTCS Chancellor in granting the leave and the individual accepting it agree to the contrary.
2.14.9 Holiday Leave

**Designated Holidays**
KCTCS designates specific days as official KCTCS holidays. The designation of these days as officially observed holidays is recurring and entitles eligible employees to claim the day off as holiday leave pay. KCTCS closes all departments and offices on the designated holidays except those departments and offices for which continuous service is essential (see below). KCTCS recognizes the following events as recurring holidays:

- Martin Luther King Day
- President’s Day
- Good Friday (1/2 day)
- Memorial Day
- Independence Day
- Labor Day
- Presidential Election Day
- Thanksgiving Day
- Day after Thanksgiving Day.

**Day of Observance**
When a KCTCS designated holiday falls on a Saturday, KCTCS observes that holiday on Friday. If the KCTCS designated holiday falls on a Sunday, KCTCS observes that holiday on Monday. KCTCS lists the holiday schedule on the KCTCS website.

**Institutional Closing**
In addition to these holidays, KCTCS observes a two-week institutional closing that begins in late December and includes Christmas Eve, Christmas Day, and New Year’s Day and ends in early January. KCTCS lists the institutional closing schedule on the KCTCS website, and the [institutional closing policy](#) contains additional information about this closing period.

**Spring and Fall Breaks**
Regular faculty who are not assigned to work as essential personnel during spring and fall breaks, but remain available for meetings and other KCTCS business that occur on-site during those periods, shall be paid at their regular rate during those breaks.

Faculty who leave the area or are otherwise unavailable for meetings and other on-site KCTCS business shall request and use, as applicable, vacation/annual leave, sick leave, or compensatory time when available. KCTCS shall require faculty without such leave or compensatory time to take unpaid leave.

Spring and fall break periods do not apply to college and system office staff and cannot be claimed as paid holiday leave.
Holiday Pay
Eligible KCTCS employees shall be authorized to receive compensation related to holidays through one of two avenues:

A. Holiday leave entitlement, or
B. Working on a designated holiday.

Employee/Supervisor Duty to Plan in Advance: For employees who work during a holiday or who are on paid holiday leave, supervisors and employees are encouraged to coordinate and use advance planning and adjusted/flexible scheduling during weeks in which a holiday occurs, in order to try to ensure that regular full-time employees reach, but do not exceed, 37.5 hours of combined work hours and paid holiday leave hours during the work week (or the designated prorated amount for regular part-time employees) when feasible.

Compensation provisions during a holiday are as follows:

A. Holiday Leave Entitlement

Regular Full-Time and Regular Part-time Employees Leave Eligibility
Eligible regular full-time non-essential employees shall be granted time off with pay on a holiday. Eligible regular part-time non-essential employees (i.e., whose work schedule constitutes 50% or more of a full-time schedule on an annualized basis) shall be granted paid holiday leave computed on a pro rata percentage to full time.

Eligibility in Alternate Circumstances
Work schedules and employee status for both regular full-time employees and regular part-time employees may affect employees’ eligibility for holiday pay and other compensation as follows:

1. Regular Full-Time Employees on Flex-Time/Alternate Schedules: If eligible, regular full-time employees who work a flex-time, evening, or night schedule and/or those employees whose scheduled work weeks are not consistent throughout the year shall be granted holiday time off with pay of 7.5 hours per individual holiday (or a prorated amount for partial day holiday on Good Friday) if the holiday day occurs during their assignment period.

2. Regular Part-Time Employees on Flex-Time/Alternate Schedules: If eligible regular part-time employees (as stated above) work flex-time, evening, or night schedules and/or have scheduled work weeks that are not consistent throughout the year, they shall receive paid holiday leave at a pro rata percentage to full-time that is calculated using the average number of hours worked per week on an annualized basis.

3. Holiday As a PreviouslyScheduled Non-Scheduled Work Day: When eligible regular full-time or eligible regular part-time employees with a flex-time/alternate
schedule are not scheduled to work the day on which a holiday occurs, KCTCS shall grant time off with pay on another day within one week of the holiday.

4. **Ineligible Regular Part-Time Employees:** Regular part-time employees who work a schedule of less than 50% of a full-time schedule on an annualized basis are not eligible for and shall not receive holiday leave with pay.

5. **Temporary Employees Ineligibility:** Temporary employees are not eligible for and shall not receive holiday leave with pay.

6. **Effect of Retirement on Holiday Leave Pay:** Eligible employees whose retirement occurs during a designated holiday shall receive that holiday pay, up to and including on their last day of employment.

7. **Effect of Other Leave on Holiday Leave Pay:** If a holiday occurs while eligible employees are on authorized paid leave such as vacation leave, sick/temporary disability leave, bereavement leave, or compensatory leave, an otherwise eligible employee is entitled to paid holiday leave and shall not be charged vacation leave or sick/temporary disability leave time, bereavement leave, or compensatory leave for the holiday.

8. **No-pay Status:** Employees in no-pay status for any reason during any portion of either the scheduled work day or leave day that falls immediately before and/or after a holiday are not eligible for and shall not receive paid holiday leave.

9. **Weekly Overtime Calculation:** Paid leave time due to a holiday is not counted as "time worked" for the purpose of calculating overtime compensation for the week for eligible employees.

### B. Working on a Designated Holiday

**Essential Services**

When essential services are required during a holiday (as well as an emergency closing or institutional closing), KCTCS shall officially designate employees as “essential personnel” and assign them to work on the holiday and/or at other times that are adjacent to the holiday and are outside employees’ regularly scheduled work days/hours (i.e., evenings and weekends).

The following definitions and practices apply to issues surrounding “essential personnel” who perform essential services for their hours worked on KCTCS designated holidays:

1. **Essential Personnel:** Definitions of “essential personnel” and “non-essential personnel are included in the KCTCS policy regarding emergency closings.

2. **Designation of Essential Personnel:** Whenever possible, supervisors shall designate “essential personnel” in advance of the holiday and shall communicate to those essential personnel...
personnel their responsibilities and assigned work hours for the holidays on which they are required to work. For a given holiday, essential personnel may be assigned to work a full day or only a partial day(s) on the actual holiday and/or evenings/weekends adjacent to holidays. Supervisors shall also notify the payroll department of essential personnel when they do work during an emergency closing, preferably via their employees’ time sheets.

3. Applicable Compensation: Applicable compensation for essential personnel for hours worked on a holiday varies by employees’ personnel system, as addressed below:

   a. Definitions: “Exempt” and “nonexempt” positions are defined in the KCTCS policy for compensation.

   b. Exempt Employee Compensation: Essential personnel under all personnel systems who are exempt employees required to work on a holiday shall receive the regular rate of pay for hours worked on the designated holiday. Any additional provision, if applicable, is stated below.

   c. Compensation and Overtime Provisions for Essential Personnel: The following information specifies compensation and overtime provisions for hours worked by essential personnel on designated holidays. These provisions are based on the employees’ personnel system:

   KCTCS Personnel System – Nonexempt Employees
   For hours worked during a holiday (full or partial day), essential personnel shall:
   - Receive holiday pay at their regular pay rate. In addition, because they are considered to have worked overtime, for the hours worked they shall be paid at 1½ times their regular rate. If necessary and feasible, employee work schedules may be adjusted for the week in order to maintain the regular number of total hours for the workweek.
   - Receive holiday pay for the regular pay rate for those hours worked on evenings/weekend days that are adjacent to the holiday (but are not designated as a holiday since they are evenings/weekend days). In addition, because they are considered to have worked overtime, for these hours worked they shall be paid at 1½ times their regular rate.

   UK Personnel System
   Nonexempt Employees
   For hours worked during holidays (full or partial day), essential personnel shall:
Be paid at the regular pay rate (unless total hours worked are in excess of 40 hours for the week), and take equal time off within 6 weeks of the holiday.

Be paid at the regular rate on evenings/weekend days that are adjacent to the holiday period (but are not designated as a holiday since they are evening hours/weekend days) unless total hours worked are in excess of 40 hours for the week, and take equal time off within 6 weeks of the holiday period.

Be paid the overtime rate of 1.5 hours for every hour worked in excess of 40 hours during the week in which the work on the holiday occurs, if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked.

**Exempt Employees**

For time worked during a holiday (full or partial day) and adjacent evening hours/weekends, essential personnel shall:

- Be paid at the regular pay rate (and shall receive no additional compensation for working on a holiday), and take equal time off within 6 weeks of the holiday.

**151B/18A Personnel System**

**Nonexempt Employees**

For hours worked during holidays (full or partial day), essential personnel shall:

- Be paid at the regular pay rate, unless total hours worked are in excess of 40 hours for the week.

- Be paid at the regular pay rate for working on evenings/weekend days that are adjacent to the holiday (but are not designated as a holiday since they are evening hours/weekend days), unless total hours worked are in excess of 40 hours for the week.

- Receive overtime compensation for every hour worked in excess of 40 hours during the week in which the work on the holiday occurs (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Exempt Employees**

For time worked on holidays (full or partial day), the following shall apply to essential personnel:
During the week in which the work on the holiday occurs, if the total hours worked in that work week exceed 40 hours, when combined with all other hours worked during that same work week, employees shall receive compensatory time at the regular rate for the hours worked in excess of 40 hours (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Other Holidays**
In addition to the designated holiday schedule, employees may occasionally request time off in order to celebrate religious holidays within their faith tradition. In recognition of the religious diversity of its workforce, KCTCS encourages departments to accommodate such requests whenever possible. Time off for religious holidays shall be charged to a vacation day or compensatory leave time, if available. Alternately, employees’ supervisors may exercise discretion to allow employees seeking time off for religious holidays to substitute one of the designated KCTCS holidays for their religious holiday. Additionally, supervisors may arrange for employees to use flexible scheduling when taking time off for employees to observe religious holidays not designated as a KCTCS holiday, allowing employees to make up the time by working additional hours, provided the arrangement is completed within the same workweek. If one of the above arrangements is not applied, the time off for religious holidays shall be unpaid.

**Related Policies**
Additional provisions regarding holidays shall be adhered to in accordance with other KCTCS policies and procedures related to holidays, compensation, and leaves of absence.

In addition, KCTCS has separate policies and procedures governing leaves due to institutional closing and emergency closing.
2.14.10 Military Leave of Absence

Employees who serve in U.S. military organizations or National Guard shall take the necessary military leave time with or without pay (as applicable) to fulfill this obligation, in accordance with institutional policies and procedures, state statutes and regulations, and the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). In addition, these employees shall retain all of their legal rights for continued employment under USERRA following military leave taken during the course of their employment at KCTCS. For purposes of this policy, uniformed service and military service are considered the same and the terms are used interchangeably. USERRA provides that returning service members who have been on military leave are reemployed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

Volunteers, draftees, and reservists are covered under USERRA during and following a period of service that occurs during the course of their employment at KCTCS. Uniformed services include the United States Armed Forces, National Guard, and commissioned public health service employees, such as the Army, Navy, Marine, Air Force, and Coast Guard. Types of activities covered as military leave include, but are not limited to, active duty for training, drills, inactive training, full-time National Guard duty, and physical examinations to determine the fitness of the individual to perform such duties.

Eligibility to Receive Pay and Benefits During Military Leave
Military leave for uniformed services annual training shall be granted to regular employees who are members of the uniformed services. During such leaves the following conditions shall apply:

1. Military leave with pay shall not exceed 10 working days in each federal fiscal year (October 1 to September 30).
2. Military leave exceeding ten working days of paid military leave shall be without pay unless a request is made by the employee and approved by the supervisor to use available paid vacation leave or compensatory leave. Employees who continue to be on military leave when a new federal fiscal year begins (on October 1) shall be entitled to receive up to 10 working days of paid military leave at that time, even if they were in an unpaid status prior to the start of the new fiscal year.
3. Regular full-time and part-time employees who work at least 50 percent of a full-time schedule on an annualized basis shall continue to accrue vacation and temporary disability leave during a paid military leave of absence but not during an unpaid military leave of absence.
4. Benefits shall remain in effect during paid military leave. Employees who take military leave without pay have the option to continue some of their benefit coverage during the military leave. If they elect to continue their benefit coverage, employees shall make arrangements for their payment of insurance premiums and retirement
contributions, as appropriate. The time frame in which eligible employees may continue their KCTCS health plan coverage for themselves and their covered dependents is for 24 months after the military leave begins. The extended continuation period for health insurance coverage shall be effective for all continuation elections made on or after December 10, 2004.

5. Time spent on military leave shall count toward service time credit for an adjusted service date for the purposes of determining the accrual rate for staff vacation leave as well as time toward meeting the required service credit for retirement. In addition, employees on military leave are eligible for annual salary increases in accordance with USERRA, which states that returning service members are reemployed in the job that they would have attained had they not been absent for military service (the long-standing "escalator" principle), equal service credit time and the same status, pay, and other rights and benefits determined by service credit time.

6. A. As long as employees remain in a paid leave status during military leave, their employee retirement contributions shall continue along with the KCTCS matching contributions.
   B. Once employees go into an unpaid leave status during military leave, they may continue making employee contributions to their retirement plan on an after-tax basis during the unpaid leave. In order to do so, employees shall make arrangements for making their direct payment of these after-tax retirement contributions to their retirement carrier(s). KCTCS shall not match these after-tax employee contributions made during the unpaid leave.
   C. Upon employees’ return to employment with KCTCS following military leave, they shall be eligible to make up contributions to the retirement plan over a period equal to three (3) times the period of Uniformed Services Leave but no longer than five (5) years. KCTCS shall make, on behalf of returning service members, any contributions to the retirement plan that the KCTCS would have made if they had not been absent for Uniformed Services Leave. These “make-up” contributions by KCTCS shall double match the employee contributions, up to a maximum of ten percent (10%). These “make-up” contributions shall not include the payment of any interest for the missed investment period.

Reemployment Following Military Leave
Full-time employees who take military leave to serve in the U.S. Armed Forces shall be eligible for re-employment after completing military service in accordance with USERRA, which requires the following conditions are met:

- The employee shall provide the employer with advance notice of uniformed service obligations, where reasonable. The employee shall show military orders to the supervisor as soon as practicable within seven days after the employee receives them.
- The employee shall satisfactorily complete active duty service.
- The employee shall enter the Uniformed Service directly from employment with KCTCS.
The employee shall either report to or submit an application for reemployment to the employer after the military service within the following time frames:

1) If length of military service is less than 31 days, the employee shall return to work by the beginning of the first regularly scheduled work period after the end of the calendar day of duty plus travel time to return home safely and an eight hour rest period.
2) If length of military service is 31 to 180 days, the employee shall make application for reemployment no later than 14 days after completion of uniformed service.
3) If length of military service is greater than 180 days, the employee shall make application for reemployment no later than 90 days after completion of uniformed service.

The position into which an employee is reinstated following a Uniformed Services leave of absence is determined by priority based on the length of military service, except with respect to those employees who suffered a disability as a result of military service or whose disability was aggravated by such service. The priorities are as follows:

1) Service of 1-90 days: The employee shall be placed in the position that would have been held had the employment not been interrupted by uniformed services participation, including promotion, as long as the person is qualified to perform the duties. If the employee is not qualified to perform the duties of such position, and/or only after reasonable efforts by KCTCS to qualify the employee for such position, the employee shall resume the position held on the date of commencement of the uniformed services tour of duty.
2) Service of 91 or more days: This is the same as Service of 1-90 days or a position of like seniority, status, and pay as long as the employee is qualified for the position. If the employee cannot become qualified, he/she shall be placed in the position held on the date of the commencement of the uniformed services tour of duty or a position of like seniority, status, and pay.

In addition, provisions regarding military leave shall be adhered to in accordance with all other applicable KCTCS policies and human resources procedure(s) regarding leaves of absences, pay, and employment.
2.14.11 Special/Other Leave

Special/Other Leaves may be available for employees who have exhausted all applicable and available leave, or who need to take a leave of absence from KCTCS for reasons other than those normally provided by other KCTCS leave of absence policies and procedures. Special leave is subject to approval and may be approved as paid or unpaid leave. An employee shall submit a written request for a Special/Other Leave with pay or a Special/Other Leave without pay to their immediate supervisor and the local HR Director.

Special leave may include leaves for reasons such as extended personal illness, necessary additional education, care of a relative in the immediate family members (as defined in the KCTCS administrative policy and procedure regarding staff temporary disability leaves), attendance at a professional meeting, or service temporarily with an outside agency. Other special leaves may be considered as requested, whenever special circumstances exist not otherwise provided for in these policies.

Approval of special leave with pay for absences due to personal or family illness is reserved for catastrophic and/or extended illnesses, such as terminal illnesses. Absences due to pregnancy, elective or routine surgeries, and other non-catastrophic illnesses do not normally meet the criteria for approval of special leave with pay.

If an employee is eligible for Family Medical Leave, a special leave with or without pay shall run concurrent with a Family Medical Leave if the reason for the leave meets the criteria under the Family Medical Leave Act (see KCTCS administrative policies and procedures regarding family/medical leaves). For special leave requests due to illness, an employee shall have exhausted all available leave balances prior to the effective date in order to receive approval for special leave with pay. In addition, any leave time accrued during a special leave with pay must be applied toward and exhausted during the continued leave.

Special leave for educational purposes shall be directly related and beneficial to an employee’s employment at KCTCS in order to be approved for special leave with pay, and may require the use of annual and compensatory leave.

The KCTCS President may grant special leave with pay. A leave of absence with pay for more than 90 calendar days shall be reported to the Board of Regents.

The college president/ceo or for system office employees the respective KCTCS President’s cabinet member, may approve special leave without pay for their respective organizational unit. Ordinarily, such leave shall not be granted for a period in excess of one year.
Employees who remain away from work for more than the approved period of time shall be considered resigned from employment.

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<tr>
<th>Approval Date</th>
<th>4-23-04; 12-7-04; 1-4-07</th>
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<td>Recommended by</td>
<td>Date</td>
<td>President, KCTCS</td>
</tr>
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<td>Date</td>
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<td>Date</td>
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</table>
2.14.12 Emergency Closings

An emergency closing may occur in which the normal operations at KCTCS facilities are curtailed by declaration of a start date/time and subsequently an ending date/time by the college president/ceo, or by the KCTCS President for emergency closings of the KCTCS system office. Emergency closings may occur for unusual conditions such as severe weather, power outages, fuel shortages, or other calamities or crises.

An emergency closing could be for a full or partial day, including a closure with a delayed start of business for the day, a closure that begins during the course of the workday (but prior to the regular established office closing), or a closure for an entire workday(s).

Definitions of Essential and Non-Essential Personnel

“Essential personnel” and “non-essential personnel” are defined as follows:

**Essential Personnel**

“Essential personnel” may be designated and assigned to work to facilitate KCTCS operations to continue as needed when KCTCS closes for a given holiday, emergency closing, or institutional closing. In general, if an employee’s job duties affect the security, safety, or physical operation, or other critical operation of KCTCS (including providing services to students, administering payroll, systems, etc.), his/her position may be considered “essential” during a specific holiday/closing and therefore the employee is designated as such. The department supervisor and college leadership shall designate essential personnel for a given holiday/closing and assign their responsibilities and hours of work in advance to the extent possible. Essential personnel may be assigned to work a full day or only a partial day(s) on the actual holiday/closing or evenings/weekends adjacent to holidays/closings. The individual positions/employees who shall be designated as essential personnel may vary from closing to closing.

**Non-Essential Personnel**

Employees who are not officially designated as “essential personnel” (i.e., those who are assigned to work during the holiday/closing) are considered “non-essential personnel”, and therefore are not assigned to work when KCTCS closes during a holiday, institutional closing, or emergency closing. If a given employee who is not designated as “essential personnel” by his/her college makes an individual decision to work during a holiday, institutional closing, or emergency closing (including during a delayed start of business and during a closure that occurs prior to regular office closing hours), he/she would receive his/her regular rate of pay during this holiday/closing and would not be subject to receive any holiday/closing overtime compensation for work during the holiday/closing. If the employee does meet the hourly threshold for regular overtime compensation for the work week and is a nonexempt employee
according to the FLSA as described in other KCTCS policies and procedures, the employee could be eligible for overtime compensation.

**Leave Compensation**

Eligible employees shall be authorized to receive compensation related to KCTCS emergency closings through one of two avenues:

A. Emergency closing leave entitlement

B. Working during an emergency closing

Eligibility and compensation provisions during an emergency leave are as follows:

**A. Emergency Closing Leave Eligibility/Compensation (non-essential personnel)**

During emergency closings, “non-essential personnel” who were otherwise scheduled to work at the affected physical location shall not report to work or remain at work. Only those employees officially designated as “essential personnel” during the emergency closing shall report to work or remain at work as instructed.

Except for the working hours for those employees who are officially designated as essential personnel to perform services during an emergency closing, paid emergency closing leave is provided to eligible regular employees unless otherwise stated in this policy or a related KCTCS human resources procedure.

**Employees on a Regular Work Schedule**

Emergency closing leave time shall be paid at regular rates for eligible regular full-time employees who were otherwise scheduled to work at the affected physical work location during the emergency closing period.

In addition, emergency closing leave time shall be paid at regular rates at a pro rata percentage to full-time for eligible regular part-time employees (those who work a schedule of 50 percent or more on an annualized basis) who were otherwise scheduled to work at the affected physical work location during the emergency closing period.

**Eligibility in Alternate Schedules and Circumstances**

Work schedules and employee status for both regular full-time employees and regular part-time employees may affect employees’ eligibility for compensation during emergency closing leaves as follows:

1. **Employees on Flex-Time/Alternate Schedules:** Emergency closing leave pay for an employee who works a flex-time schedule will be for the number of hours (if any) that the employee was originally scheduled to work on the emergency closing day(s).

2. **Ineligible Regular Part-Time Employees:** Regular part-time employees who work a schedule of less than 50% of a full-time schedule on an annualized basis shall not receive paid leave for an emergency closing.
3. Temporary Employees: Temporary employees shall not receive paid leave for an emergency closing.

4. Effect of Retirement on Emergency Closing Leave: Employees whose retirement occurs during a designated emergency closing period shall receive the emergency closing leave pay up to and including on their last day of employment.

5. Weekly Overtime Calculation: Paid leave time due to an emergency closing is *not* counted as "time worked" for the purpose of calculation of overtime compensation for the week for eligible employees.

6. Unaffected Locations: If an emergency closing of a physical work location occurs, employees who are scheduled to work at unaffected locations during the emergency closing period shall report to work as scheduled.

7. Additional circumstances: Following is a table that further specifies entitlement for paid emergency closing leave for non-essential personnel.
Paid Leave Entitlement for Non-essential Personnel During Emergency Closings

<table>
<thead>
<tr>
<th>Full/Partial Emergency Closing Leave Days</th>
<th>Eligibility for Paid Emergency Closing Leave For Affected Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. On pre-approved paid leave (vacation, sick leave, compensatory leave, bereavement leave, etc.).</td>
<td>a. Eligible for paid emergency closing leave during the emergency close.</td>
</tr>
<tr>
<td>b. On unscheduled paid leave that occurs when calling in on the day of the emergency closing.</td>
<td>b. Eligible for paid emergency closing leave during the emergency close.</td>
</tr>
<tr>
<td>c. On unpaid leave on the emergency closing day.</td>
<td>c. Ineligible for paid emergency closing leave.</td>
</tr>
<tr>
<td>d. In a no-pay status on the workday/leave day immediately before or after an emergency closing day.</td>
<td>d. Ineligible for paid emergency closing leave.</td>
</tr>
<tr>
<td>e. Emergency closing begins at the start of the workday, continuing through the duration of the workday.</td>
<td>e. Eligible for paid emergency closing leave for the entire of the workday, subject to all other provisions.</td>
</tr>
<tr>
<td>f. Emergency closing causes a delayed start to the workday.</td>
<td>f. Eligible for paid emergency closing leave beginning with the start of the workday and continuing until the end of the emergency closing time period. Scheduled employees who do not report to work immediately at the time the emergency closing ends, are not eligible for emergency closing leave during the non-closing hours; those hours are subject to other applicable leave.</td>
</tr>
<tr>
<td>g. Emergency closing begins at a given time during the course of the workday after the workday has begun.</td>
<td>g. Eligible employees are paid emergency leave beginning at the time the emergency closing begins. Employees who leave work prior to the start of the emergency closing are not eligible for emergency closing leave during the non-closing hours; those hours are subject to other applicable leave time.</td>
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</tbody>
</table>
B. Compensation for Working during Emergency Closings (essential personnel)

If essential services are required during the closing, “essential personnel” may be assigned to work during the emergency closing and/or during other times necessitated by the emergency closing that are outside of employees’ normally scheduled work hours.

Supervisors’ Responsibilities

For employees who work during an emergency closing, supervisors and employees are encouraged to use adjusted/flexible scheduling during the week in which the emergency closing occurs, in order to try to ensure that regular full-time employees reach, but do not exceed, 37.5 hours (or the designated prorated amount for regular part-time employees) when feasible. Supervisors shall also notify the payroll department of essential personnel when they do work during an emergency closing, preferably via their employees’ time sheets.

Applicable Compensation

The applicable compensation for essential personnel for hours worked during an institutional closing varies by personnel system and is addressed below:

1. Definitions: “Exempt” and “nonexempt” positions are defined in the KCTCS policy regarding emergency closing.

2. Exempt Employee Compensation: Essential personnel under all personnel systems who are exempt employees and who work during an emergency closing shall receive their regular pay rate for hours worked during the closing. Any additional provision, if applicable, is stated below.

3. Compensation and Overtime Provisions for Essential Personnel: The applicable pay rate for employees who are essential personnel required to work during an emergency closing varies by personnel system and is addressed below.

Following is information that specifies the pay and overtime provisions regarding essential personnel for hours worked during an institutional closing.

KCTCS Personnel System – Nonexempt Employees

For hours worked during an emergency closing (full or partial day), essential personnel shall:

- Receive emergency closing pay at their regular pay rate. In addition, because they are considered to have worked overtime, for the hours worked they shall be paid at 1½ times their regular rate. If necessary and feasible, employee work schedules may be adjusted for the week in order to maintain the regular number of total hours to be worked.
Receive emergency closing pay for the regular pay rate for those hours worked on evenings/weekend days that are adjacent to the emergency closing (but are not designated as an emergency closing since they are evenings/weekend days). In addition, because they are considered to have worked overtime, for these hours worked they shall be paid at 1½ times their regular rate.

**UK Personnel System**

**Nonexempt Employees**

For hours worked during an emergency closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate (unless total hours worked are in excess of 40 hours for the week), and take equal time off within 6 weeks of the emergency closing.
- Be paid at the regular rate on evenings/weekend days that are adjacent to the emergency closing period (but are not designated as an emergency closing since they are evening hours/weekend days) unless total hours worked are in excess of 40 hours for the week, and take equal time off within 6 weeks of the emergency closing.
- Be paid the overtime rate of 1.5 hours for every hour worked in excess of 40 hours during the week in which the work on the emergency closing occurs, if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked.

**Exempt Employees**

For hours worked during an emergency closing (full or partial day) and adjacent evening hours/weekends, essential personnel shall:

- Be paid at the regular pay rate, and take equal time off within 6 weeks of the emergency closing.

**151B/18A Personnel System**

**Nonexempt Employees**

For hours worked during an emergency closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate, unless total hours worked are in excess of 40 hours for the week.
- Be paid at the regular pay rate for working on evenings/weekend days that are adjacent to the (but are not designated as an emergency closing since they are evening hours/weekend days), unless total hours worked are in excess of 40 hours for the week.
- Receive overtime compensation for every hour worked in excess of 40 hours during the week in which the work on an emergency closing occurs (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of...
total hours to be worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Exempt Employees**

For hours worked during an emergency closing (full or partial day), essential personnel shall:

- Be paid at their regular pay rate.
- During the week in which the work on the emergency closing occurs, if the total hours worked in that work week exceed 40 hours, when combined with all other hours worked during that same work week, employees shall earn compensatory time at the regular rate for the hours worked in excess of 40 hours (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Related Policies**

Additional provisions regarding emergency leave shall be adhered to in accordance with other KCTCS policies and procedure(s) related to emergency leave, compensation, and leaves of absence.

In addition, KCTCS has separate policies and procedures governing leaves due to holidays and institutional closings.

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Recommended by Date

President, KCTCS Date
2.14.13 Institutional Closings

An institutional closing is a planned suspension of KCTCS operations that is scheduled in advance. Eligible regular employees shall receive paid leave time during institutional closings due to scheduled maintenance and other purposes.

Annual Institutional Closing
KCTCS will observe a two-week institutional closing each year beginning in the latter part of December and includes Christmas Eve, Christmas Day, and New Year’s Day and ending in early January. The institutional closing schedule will be listed on the KCTCS website.

Other institutional closing days may be granted by action of the Board of Regents or the KCTCS President.

Holidays
In addition to institutional closing days, there are separate days during the year that are officially designated as KCTCS holidays that are specified in the KCTCS policy regarding holidays.

Compensation during an Institutional Closing
Eligible employees shall be authorized to receive compensation related to institutional closings through one of two avenues:

A. Institutional closing leave entitlement
B. Working during an institutional closing

Employee/Supervisor Duty to Plan in Advance: For employees who work during an institutional closing or who are on paid institutional closing leave, supervisors and employees are encouraged to coordinate and use advance planning and adjusted/flexible scheduling during a week in which the institutional closing occurs, in order to try to ensure that regular full-time employees reach, but do not exceed, 37.5 hours of combined work hours and paid institutional closing hours (or the designated prorated amount for regular part-time employees) when feasible.

Compensation provisions during an institutional closing are as follows:

A. Paid Institutional Closing Leave Entitlement (non-essential personnel)

Regular Full-Time/Regular Part-Time Employees on a Regular Work Schedule
Except for designated essential personnel, eligible regular full-time employees shall be granted time off work with paid leave during an institutional closing. In addition, eligible regular part-time employees (i.e., those who work a schedule of 50% or more of a full-time schedule on an annualized basis) shall be granted time off work with paid leave during an institutional closing on a pro rata percentage to full time.
Eligibility in Alternate Schedules and Circumstances

Work schedules and employee status for both regular full-time employees and regular part-time employees may affect employees’ eligibility for institutional closing pay and other compensation as follows:

1. **Regular Full-Time/Regular Part-Time Employees on Flex-Time/Alternate Schedules:** If an eligible regular part-time employees (i.e., those who work a schedule of 50% or more of a full-time schedule on an annualized basis) work a flex-time, evening, or night schedule and/or the employee’s scheduled work week is not consistent throughout the year, paid institutional closing leave at a pro rata percentage to full-time will be calculated based on the average number of hours worked per week on an annualized basis.

2. **Institutional Closing on a Previously Non-Scheduled Work Day:** If an eligible regular full-time employee or eligible regular part-time employee who meets the eligibility requirements would otherwise not be scheduled to work on the institutional closing day, time off with pay shall be granted on another day within a week of when the institutional closing occurs.

3. **Ineligible Regular Part-Time Employees:** Regular part-time employees who work a schedule of less than 50% of a full-time schedule shall not receive paid leave during an institutional closing.

4. **Temporary Employees:** Temporary employees (full-time or part-time) shall not receive paid leave during an institutional closing.

5. **Effect of Retirement on Institutional Closing Pay:** Employees whose retirements occur during a designated institutional closing period shall receive the institutional closing leave pay up to and including on their last day of employment.

6. **Effect of Other Leave on Institutional Closing Pay:** If an institutional closing occurs while employees are on authorized paid leave such as vacation leave, sick/temporary disability leave, bereavement leave, or compensatory leave, an otherwise eligible employee is entitled to emergency closing leave and shall not be charged vacation leave, sick/temporary disability leave time, bereavement leave, or compensatory leave for the institutional closing.

7. **No-Pay Status:** Employees in a no pay status for any portion of either the scheduled work day or leave day that falls immediately before and/or after an institutional closing are not eligible, and therefore shall not receive paid institutional closing leave.

8. **Weekly Overtime Calculation:** Paid leave time due to an institutional closing is not counted as "time worked" for the purpose of calculation of overtime compensation for the week for eligible employees.
B. Working during an Institutional Closing (essential personnel)

Essential Services
When essential services are required during an institutional closing (as well as an emergency closing or holiday), KCTCS shall officially designate employees to work as “essential personnel” and assign them to work on the institutional closing day, and/or during other times necessitated by the institutional closing that are outside of employees’ normally scheduled work hours (i.e., evenings and weekends).

The following definitions and practices apply to issues surrounding “essential personnel” who perform essential services regarding their hours worked on KCTCS designated holidays:

1. Essential Personnel Definition: Definitions of “essential personnel” and “non-essential personnel are included in the KCTCS policy regarding emergency closings.

2. Designation of Essential Personnel: To the extent possible, supervisors shall designate “essential personnel” in advance of an institutional closing and shall communicate to them their responsibilities and assigned work hours for an institutional closing during which they are required to work. For a given institutional closing, essential personnel may be assigned to work a full day or only a partial day(s) on the actual closing days and/or on evenings/weekends adjacent to the closing days. Supervisors shall also notify the payroll department of essential personnel when they do work during an emergency closing, preferably via their employees’ time sheets.

3. Applicable Compensation: The applicable compensation for essential personnel for hours worked during an institutional closing varies by personnel system and is addressed below:
   a. Definitions: “Exempt” and “nonexempt” positions are defined in the KCTCS policy regarding compensation.
   b. Exempt Employees Compensation: Essential personnel under all personnel systems who are exempt employees required to work during an institutional closing shall receive their regular pay rate for hours worked during the closing. Any additional provision, if applicable, is stated below.
   c. Compensation and Overtime Provisions for Essential Personnel: The following information specifies the compensation and overtime provisions regarding essential personnel for hours worked during an institutional closing.

KCTCS Personnel System – Nonexempt Employees
For hours worked during an institutional closing (full or partial day), essential personnel shall:
Receive pay at their regular pay rate. In addition, because they are considered to have worked overtime, for the hours worked they shall be paid at 1½ times their regular rate. If necessary and feasible, employee work schedules may be adjusted for the week in order to maintain the regular number of total hours to be worked.

Receive institutional closing pay for the regular pay rate for those hours worked on evenings/weekend days that are adjacent to the institutional closing (but are not designated as an institutional closing since they are weekend days). In addition, because they are considered to have worked overtime, for these hours worked they shall be paid at 1½ times their regular rate.

UK Personnel System

Nonexempt Employees
For hours worked during an institutional closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate (unless total hours worked are in excess of 40 hours for the week), and take equal time off within 6 weeks of the institutional closing.
- Be paid at the regular rate on weekend days that are adjacent to the institutional closing period (but are not designated as an institutional closing since they are weekend days) unless total hours worked are in excess of 40 hours for the week, and take equal time off within 6 weeks of the institutional closing.
- Be paid the overtime rate of 1.5 hours for every hour worked in excess of 40 hours during the week in which the work on the institutional closing occurs, if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked.

Exempt Employees
For hours worked during an institutional closing (full or partial day) and adjacent weekends, essential personnel shall:

- Be paid at the regular pay rate, and take equal time off within 6 weeks of the institutional closing.

151B/18A Personnel System

Nonexempt Employees
For hours worked during an institutional closing (full or partial day), essential personnel shall:

- Be paid at the regular pay rate, unless total hours worked are in excess of 40 hours for the week.
- Be paid at the regular pay rate for working on weekend days that are adjacent to the (but are not designated as an institutional
closing since they are weekend days), unless total hours worked are in excess of 40 hours for the week.

- Receive overtime compensation for every hour worked in excess of 40 hours during the week in which the work on an institutional closing occurs (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours to be worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Exempt Employees**

For hours worked on an institutional closing (full or partial day), essential personnel shall:

- Be paid at their regular pay rate.
- During the week in which the work on the institutional closing occurs, if the total hours worked in that work week exceed 40 hours, when combined with all other hours worked during that same work week, employees shall receive compensatory time at the regular rate for the hours worked in excess of 40 hours (if it is not possible to adjust employee work schedules for the week in order to maintain the regular number of total hours worked), in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures).

**Related Policies**

Additional provisions regarding institutional closings shall be adhered to in accordance with other KCTCS policies and procedure(s) related to compensation and leaves of absence.

In addition, KCTCS has separate policies and procedures governing leaves due to holidays and emergency closings.

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Recommended by: President, KCTCS

(SIGNED) 1-22-13 (SIGNED) 1-22-13
2.14.14 Bereavement Leave

KCTCS Personnel System

A regular full-time employee, or regular part-time employee who works a schedule of 50% or more of a full-time schedule on an annualized basis, shall be granted bereavement leave with pay as follows:

1. Up to five (5) working days for attending to funeral related matters in the case of the death of a parent, spouse, brother, sister, child (includes steps or halves of the same relationship), grandparent, grandchild, parent-in-law, brother-in-law, sister-in-law, domestic partner, step-parent, daughter or son of the employee’s spouse or domestic partner, and any other person who resides in the employee’s household, or other persons with whom the employee has an “in loco parentis”* relationship. Upon request, the supervisor may authorize up to an additional two days of bereavement leave with pay for extenuating circumstances, such as extended, lengthy travel. Total bereavement leave with pay, including additional leave for extenuating circumstances, shall not exceed seven (7) working days.

2. Up to two (2) working days in the case of the death of an aunt, uncle, niece, and nephew. Upon request, the supervisor may authorize up to an additional two days of bereavement leave with pay for extenuating circumstances, such as extended, lengthy travel. Total bereavement leave with pay, including additional leave for extenuating circumstances, shall not exceed four (4) working days.

3. At the discretion of an employee’s supervisor, an employee may be granted bereavement leave with pay up to one-half of a working day to attend the funeral service of other relatives, associates, or close friends.

A “day” for bereavement leave purposes is defined as the number of hours an employee works in a regularly scheduled work-week on an annualized basis, divided by five (5).

In cases requiring absences in excess of the above allowances or other absences requested for funerals of other relatives or friends, approved time off shall be requested using other available leave as applicable or without pay if no other leave is available.

If requested, a portion of the available bereavement leave with pay may be used at a time subsequent to the day of the funeral, in order to address related estate/business matters.

Regular part-time employees who are eligible for bereavement leave with pay as noted above shall receive bereavement leave for the scheduled work hours that fall within the leave period.
UK Personnel System

A regular full-time employee, or regular part-time employee who works a schedule of 50% or more of a full-time schedule or more on an annualized basis, shall be granted bereavement leave with pay as follows:

1. Up to five (5) working days for attending to funeral related matters in the case of the death of a parent, spouse, brother, sister, child (includes steps or halves of the same relationship), a step-child for whom the employee is directly responsible, and any other person who resides in the employee’s household, or other persons with whom the employee has an “in loco parentis” relationship. Upon request, the supervisor may authorize up to an additional two days of bereavement leave with pay for extensive travel. Extensive travel is defined as travel distance greater than 100 miles, one way. Total bereavement leave with pay, including additional leave for extensive travel, shall not exceed seven (7) working days.

2. Up to two (2) working days in the case of the death of a direct descendant grandparent, grandchild, aunt, uncle, niece, and nephew, a step-child for whom the employee is not directly responsible, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law. Upon request, the supervisor may authorize up to an additional two days of bereavement leave with pay for extensive travel. Extensive travel is defined as travel distance greater than 100 miles, one way. Total bereavement leave with pay, including additional leave for extensive travel, shall not exceed four (4) working days.

3. At the discretion of an employee’s supervisor, an employee may be allowed bereavement leave with pay up to one-half of a working day to attend the funeral service of other relatives, associates, or close friends.

A “day” for bereavement leave purposes is defined as the number of hours an employee works in a regularly scheduled work-week on an annualized basis, divided by five (5).

In cases requiring absences in excess of the above allowances or other absences requested for funerals of other relatives or friends, approved time off shall be requested using other available leave as applicable or without pay if no other leave is available.

If requested, a portion of the available bereavement leave with pay may be used at a time subsequent to the day of the funeral, in order to address related estate/business matters.

Regular part-time employees who are eligible for bereavement leave with pay as noted above shall receive bereavement leave for the scheduled hours that fall within the funeral leave period.
18A/151B Personnel System

For employees under this personnel system bereavement leave is addressed in the Kentucky Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B, located in Appendix I (Section 2) of this manual.

*“In loco parentis” means the employee has the day-to-day responsibilities for the care and financial support of a child or persons who had such a responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
2.14.15 Jury Duty

Jury duty is recognized as a civic responsibility. Employees are encouraged to fulfill their obligations with regard to this service as citizens of the community. KCTCS shall pay employees their regular salary for time served on jury duty. Employees shall submit to their supervisor a copy of the call to jury duty as soon as possible after receipt.

Upon completion of jury duty each day, employees shall report back to work as soon as possible to resume their assigned work responsibilities. If employees are dismissed too late to return to work before their shift ends, or if they work a second, third or other variable work shift on a given day, employees shall report to work at the beginning of their next assigned work shift. Employees shall receive instructions from their supervisor, in advance of the assigned period of jury duty, for any further specific reporting expectations. Supervisors are encouraged to accommodate employees on second or third shifts whose jury duty interrupts normal sleep schedules.

Employees shall be permitted to retain jury duty compensation, if received, in addition to their regular salary from KCTCS for paid time off for jury duty to help defray expenses while serving on a jury.
2.14.16 Court Appearances

A court appearance normally requires use of vacation leave, or leave without pay. However, if summoned, subpoenaed, or requested to appear as a party or a witness in a civil or criminal court case in which KCTCS requests an employee’s attendance, the employee shall be granted time off with pay to fulfill such responsibilities. Employees shall submit a copy of the subpoena, summons, or request to appear in court before receiving approved time off for this duty. In addition, if a compelling KCTCS interest in a court case justifies the employee’s absence, KCTCS may approve time off with or without pay for a court appearance in cases that do not directly relate to KCTCS. Immediately upon receipt of a summons, subpoena, or request to appear in court, employees shall present a copy of the document to their supervisor and request applicable leave time, either with or without pay.

For cases not involving KCTCS, employees shall use vacation leave or leave without pay.

Upon completion of a paid or unpaid court appearance, the employee shall report to work at the beginning of the next regularly scheduled work period. If the court appearance does not require the full work period in a given day, the employee shall report for work that day as soon as possible after the court appearance ends.

In addition, jury duty and court appearances will be addressed in accordance with applicable KCTCS policies and human resources procedure(s) regarding paid and/or unpaid leaves of absence and special leave.
2.15 KCTCS Classification and Compensation Administration

The goal of the KCTCS classification and compensation program is to attract potential employees, meet the needs of current employees and encourage well-performing employees to continue with the organization. With this in mind, the compensation program is built to balance both employee and KCTCS needs.

KCTCS has a market-based classification and compensation plan for regular full-time KCTCS employees.

As part of the classification and compensation plan, each KCTCS position has a title. In addition, each KCTCS staff position title has a designated document that provides a representative summary of the types of duties, responsibilities, and credentials required of the position. A salary schedule is established consisting of pay bands for staff employees and pay bands for faculty employees. Within each pay band there are salary ranges, including a minimum salary level, a market salary level, and a maximum salary level. Each position title is assigned to a pay band based on the level of responsibilities and required credentials as specified in the job specification and/or job analysis questionnaire.

A compensation committee will be designated to include four System Office Human Resources employees and two (rotating) college Directors of Human Resources for recommendations regarding classification and compensation issues. The salary schedule is reviewed periodically to assess for potential updates needed.

KCTCS applies the same principles of fairness to all employees, regardless of race, color, citizenship status, national origin, gender, sexual orientation, age, religion, creed, political affiliation, ethnic origin, physical or mental disability, veteran status, political affiliation, smoking status, or any other factor protected by law.

2.15.1 Wage and Salary Administration

2.15.1.1 Pay Cycle

Payday is normally on the 15th and 30th day of the month for services performed during the previous pay cycle. The twice monthly pay schedule is made up of twenty-four (24) pay periods per year. Changes to the payroll cycle shall be made and announced in advance whenever KCTCS holidays or closings interfere with the normal pay schedule.

2.15.1.2 Mandatory Deductions from Paycheck

KCTCS is required by law to make certain deductions from employee paychecks. Among these are federal, state and local income taxes and employee contributions to Social Security as required by law. These deductions shall be itemized on employee pay statements. The amount of the deductions depend on employee earnings and on the information employees furnish on the W-4 and K-4 tax withholding forms regarding the
number of withholding allowances claimed. Employees may modify this number by completing a new W-4 tax withholding form located on the KCTCS website and submitting it to their local payroll office. No one other than the employee may modify the employee’s W-4 and/or K-4 tax withholding forms. Oral or written instructions are not sufficient to modify withholding allowances. Employees are advised to check their pay statements to ensure that these statements reflect the proper amount of withholding allowances.

KCTCS shall send employees a W-2 tax form annually that reflects employee taxable earnings and taxable amounts withheld for the year.

2.15.1.3 Employee Organization Dues Deduction

Employees may have dues for any employee membership organization, which has registered with KCTCS and has been approved by the KCTCS President, deducted from regular pay checks. "Employee organizations" are those whose primary mission is to serve KCTCS employees. The amount of the deduction is set by the organization. Dues deduction authorization forms are available at the employees’ local payroll/business office. Dues deductions shall begin with the first check after a thirty (30) day processing period.

Employees may cancel their authorization to have dues deducted from their pay check by filing a written notice of cancellation with the same office at least 30 days before the end of the calendar quarter.

KCTCS shall furnish a list including the employee’s name and home or mailing address to the organizations for which an employee authorizes dues deductions.

2.15.1.4 Direct Payroll Deposit

Direct payroll deposit is the automatic deposit of employees’ payroll funds into the financial institution accounts of their choice. KCTCS employees shall participate in direct deposit of their payroll funds in accordance with the KCTCS Business Procedures. In addition, employees may authorize KCTCS to make additional deductions from their paychecks. Employees shall complete the necessary authorization forms located on the KCTCS website and submit them to their payroll office.

2.15.1.5 Error in Pay

Every effort is made to avoid errors in employee paychecks. If an error has been made, employees immediately, and no later than the end of the fiscal year, shall notify the local payroll officer, who shall take the necessary steps to research the problem and to assure that any necessary correction is made promptly.
2.15.1.6 Wage Garnishments

KCTCS expects that employees will manage their financial affairs so that KCTCS shall not be obligated to execute any court-ordered wage garnishments. However, employees shall be notified when court-ordered deductions are to be taken from their paycheck by KCTCS. KCTCS acts in accordance with the federal Consumer Credit Protection Act, which places restrictions on the total amount that may be garnished from employee paychecks.

If KCTCS is required to make additional mandatory deductions from an employee’s paychecks, KCTCS shall inform the employee about the mandatory deductions upon receipt of other lawful order.

2.15.1.7 Computing Pay

Pay is computed based on a regular full-time work week, which for KCTCS is 37.5 hours per week for regular full-time employees. Nonexempt employees are paid on a semi-monthly basis, for an average of 81.25 hours semimonthly. Employees are “made whole” once they have worked an entire fiscal year.

2.15.1.8 Compensation for Overtime Hours Worked

KCTCS expects that position workloads shall be accomplished within the regularly scheduled hours of the work week. Each supervisor is responsible for organizing, scheduling, and staffing departmental workloads in a manner that will avoid the development of overtime situations when at all possible. In addition, employees are expected to organize and manage their workload in order to complete it during regularly scheduled hours of the work week, if possible.

Therefore, this policy is intended for situations such as peak workload periods, unforeseen circumstances, or emergency situations, that prevent the completion of work during regularly scheduled working hours. Employees and supervisors shall understand that overtime compensation is intended for short-term arrangements, not as an ongoing operational and compensation strategy. Overtime work shall be reviewed every six months by the supervisor, appropriate supervisory personnel within the chain of command, and/or a financial officer to plan for other options, such as flexible scheduling, training other available staff, or hiring a temporary or additional regular employee(s).

A position classified as an exempt position is one in which the employee is exempt from being eligible to receive overtime compensation. A position classified as a nonexempt position is one in which the employee is eligible to receive overtime compensation, when applicable. A position may be classified as exempt from receiving overtime compensation based on job duties, responsibilities, salary, and, in some cases, minimum education required. Determination regarding the classification for each position
regarding exemption or nonexemption from overtime is made under the provisions of the Fair Labor Standards Act (FLSA) and is administered by the KCTCS System Human Resources Office.

Advance planning for flexible scheduling is a proper strategy for reducing overtime hours. Prior to engaging in any work in excess of the 37.5 hours per week for a regular full-time employee, the excess work hours shall be requested, and if necessary to be worked shall be approved in advance by an employee’s immediate supervisor (except for exempt employees who are not subject to overtime). Any hours worked between 37.5 and 40 hours in the week are not considered overtime work for purposes of determining the rate of pay, and shall be paid at the employees’ regular pay rate. In addition, supervisors are encouraged to use advance planning and flexible scheduling for their employees as methods to minimize any work over 37.5 hours during a work week. Whenever possible, if an employee works additional days or additional hours on a given work day beyond his/her regularly scheduled hours, if at all possible the supervisor shall adjust the employee’s work schedule accordingly for the other days in that work week in order that the employee’s total work hours do not exceed 37.5 hours.

For purposes of this policy, “overtime work” is defined as “the hours worked in excess of 40 hours in a given work week”. Nonexempt employees shall be compensated at an overtime rate on hours worked in excess of forty (40) hours per work week. If applicable, supervisors shall request and obtain approval in advance from the appropriate management level in order to permit their employees to perform overtime work.

Eligible employees are entitled to overtime compensation for applicable hours worked as follows:

**KCTCS Personnel System and UK Personnel System**
If it was not possible to adjust employee work schedules for a given week (as stated above) to maintain the regular number of total hours to be worked, non-exempt employees shall receive overtime pay of 1.5 times the hourly rate for every hour worked over 40 hours per week.

Exempt employees are not eligible to earn or receive overtime pay.

**18A/151B Personnel System**
If it was not possible to adjust employee work schedules for a given week (as stated above) to maintain the regular number of total hours worked, exempt and non-exempt employees who work overtime (time worked in excess of 40 hours per week) shall
receive compensation for overtime in accordance with the administrative regulations for KRS Chapters 18A and KRS Chapter 151B (see Appendix 1 of Section 2 of the KCTCS Administrative Policies and Procedures.

**Related Information**
For supplemental assignments, including internal faculty overloads/working a second job, additional assignments, and/or outside employment, please refer to the KCTCS policies on faculty/staff workload, faculty consulting, and outside employment.

Additional provisions regarding compensation and overtime pay related to working during a holiday, institutional closing, and emergency closing are addressed in the applicable policies.

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**Approval Date**
6-22-98

**Date(s) of Last Review**
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10-12-05; 11-23-10; 11-21-11; 1-22-13

(SIGNED) 1-22-13
Recommended by

(SIGNED) 1-22-13
President, KCTCS

(Date)
2.15.2 Employment Actions

2.15.2.1 Initial Employment

Salary offers are made using salary ranges for existing positions. Upon initial employment, commensurate with education and experience newly hired regular employees shall receive a salary of at least the minimum but not to exceed the market salary of the position title’s pay band.

2.15.2.2 Promotion

The promotion of a regular employee is a move to a different position title with a higher corresponding classification pay band with corresponding new and/or increased duties and responsibilities. Employees are not eligible for promotions until after completion of the first 6 (six) months of employment. Salary increases resulting from promotions shall be at least to the minimum of the pay band of the new position title and may be up to 20% of the current salary not to exceed the KCTCS market salary of the new position’s pay band. Salary increases resulting from promotion shall be commensurate with the duties of the new position. For faculty promotions in rank, the designated KCTCS promotion salary increase shall be awarded.

2.15.2.3 Reclassification

A position reclassification is the assignment of a given position within a specific college or department to a different position title as a result of significant and demonstrated expansion, reduction, or change of the duties and responsibilities of that specific position on an ongoing basis. A position reclassification requires approval by the college president/ceo and the KCTCS Vice President primarily responsible for Human Resources. Salary increases resulting from position reclassifications to a higher pay band shall be at least to the minimum of the pay band of the employee’s new position and may be up to 20% of the current salary, not to exceed the KCTCS market salary of the position’s pay band. Salary increases shall be commensurate with the duties of the reclassified position. A position reclassification to a lower pay band shall not result in a salary change for the incumbent due to the reclassification.

2.15.2.4 Reassignment

A reassignment of position occurs when an employee is moved to a different position or whose position title is changed, involving the same or different pay band. A reassignment of duties occurs when there is a change in the assignment of responsibilities of a given position. A reassignment is not an automatic reclassification or demotion.

An employee may be reassigned to another position and/or title, or be reassigned to other duties, with the understanding that the reassignment or change of duties is in the best interest of the institution and does not violate the employee’s rights.
An employee’s salary may or may not be adjusted as a result of a reassignment. The determination about whether a salary increase is appropriate is based on an increased scope of assigned responsibilities or an increase in the level of assigned responsibilities.

A reassignment may be associated with an administrative reorganization, which is a realignment of the functions/processes and/or operations within the department, division, and/or college. A reassignment due to an administrative reorganization shall not adversely affect the employee’s salary. A reassignment due to an administrative reorganization requires the approval of the college president/ceo and the KCTCS Vice President primarily responsible for Human Resources.

**Tenured Faculty Reassigned to Staff Roles**

By mutual agreement tenured faculty members may be reassigned to staff roles. Although individuals cannot earn tenure in staff positions tenure may be held separately as a faculty privilege concurrent with a staff role, including an administrative role. Tenured faculty in a staff role shall retain their faculty status, faculty rank, and faculty position title, along with retaining coverage under faculty benefits and policies, including faculty temporary disability leave and faculty vacation leave. Tenure shall not provide the right to remain in or be reassigned to a staff role. Tenured faculty in a staff role shall retain the right to return to a teaching position in KCTCS for which they are qualified, if such a position is available at the time the faculty member leaves the staff role. Tenured faculty who leave a staff role shall be entitled to receive a position in the academic unit in which the faculty member obtained tenure. The removal of tenured faculty from their staff role shall not impair whatever rights they may have in their faculty rank.

See section 2.15.2.9 (*Conversion or Transfer from a Non-Tenured Faculty Position to a Staff Position*) regarding a position change for faculty with continued employment status, continuing employment status, and term contract employment status.

If appropriate, a faculty member may be entitled to an administrative supplement of non-recurring salary due to the assignment of duties or reassignment of staff or administrative duties or position. Any faculty administrative supplement salary shall be established in writing and shall be applicable only during the period of administrative assignment. In addition, if a faculty member’s assignment period is changed, the faculty member may be due a faculty assignment period salary (FAPS) conversion based on the table in section 2.15.2.13.2 (*Faculty Salary Conversion Related to Change in Assignment Period*) regarding faculty salary conversion. A salary supplement shall be excluded from the calculation when implementing any conversion of the faculty salary related to a change in assignment period.

If the administrative duties are subsequently removed and/or the length of the assignment period is reduced, the administrative salary supplement and/or the FAPS conversion amount that was previously awarded is likewise removed.
2.15.2.5 Salary Adjustment

Salary adjustments may be made as appropriate as determined by the college president/ceo and the KCTCS Vice President primarily responsible for Human Resources, based on defined pay equity issues and market salary studies. Salary adjustments may be made due to the increased scope of assigned responsibilities, increased levels of assigned responsibilities, and/or pay equity issues. Salary adjustments may be up to 20% of the current salary not to exceed the KCTCS market salary of the position’s pay band. The college president/ceo and the KCTCS Vice President primarily responsible for Human Resources shall review for local internal pay equity issues before making a salary adjustment.

2.15.2.6 Lateral Transfer

A lateral transfer occurs when an employee is moved to another position within the same classification pay band, to a position of the same title within a college, or to a position of the same title or classification band at another KCTCS college. The salary shall remain the same for an employee who makes a lateral transfer. An employee may not apply for a lateral transfer until after the employee completes the first six months of employment.

2.15.2.7 Acting Assignments

Based on college needs and resources, an employee may be asked to serve in a position or be assigned new responsibilities on an interim or temporary basis. An acting assignment may not exceed 24 months. The college president/ceo will take the appropriate steps to justify and document that the acting assignments comply with all state and federal employment laws and KCTCS policies and procedures. An employee serving in exempt or non-exempt acting assignments may be provided compensatory time or supplemental pay, subject to KCTCS policies and procedures and applicable federal and state laws. Resulting salary adjustments may be up to 20%, not to exceed the KCTCS market salary for the position’s pay band.

2.15.2.8 Conversion or Transfer from a Staff Position to a Faculty Position

A proposed conversion or transfer of a KCTCS employee from a KCTCS staff position to a KCTCS faculty position shall be reviewed by the KCTCS Vice President primarily responsible for Human Resources, in consultation with the KCTCS Chancellor, prior to the transfer. The salary of an employee who is converted from a staff to a faculty shall be no less than it was before the conversion. The salary of an employee who pursues and elects to voluntarily transfer to a faculty position shall be determined based on the same guidelines as determining the starting salary upon initial employment in a faculty
position. The employee who converted or transferred to a faculty position shall then begin coverage under faculty benefits, faculty leaves policies, and other faculty policies.

Unused staff vacation leave balance shall be banked and available for future use. In addition, if applicable, vacation/annual leave balance that was banked in conjunction with a personnel system opt over election shall continue to be banked and available for future use.

If applicable, the staff sick leave balance shall be banked and available for use, including as a donation through the KCTCS sick leave sharing or pool programs, or applied toward service credit at the time of retirement under KTRS/KERS. In the event that the employee returns to a staff position at a point in time after opting over the employee’s banked staff sick leave balance earned under the UK personnel system is available for use, and/or if applicable, for sick/temporary disability leave conversion at retirement (unless retirement previously occurred in conjunction with opting over).

**2.15.2.9 Conversion or Transfer from a Non-Tenure Faculty Position to a Staff Position**

KCTCS employees may be converted or transferred from a non-tenured faculty position to a staff position. The salary of an employee whose position is converted from a faculty position to a staff position shall remain the same as it was before the conversion. The salary of an employee who pursues and elects to voluntarily transfer to a staff position shall be determined based on the same guidelines as determining the starting salary upon initial employment in a staff position. In addition, faculty with continuing employment status, continued employment status, or term contract employment status whose position is converted to a staff position shall return to the faculty rank that they had prior to the conversion or transfer if they subsequently have a position conversion or transfer back to a faculty position.

The employee shall then be covered by staff benefits, leave policies, and other staff policies.

If applicable, any faculty sick leave balance that was earned through monthly accrual (under the 151B personnel system), shall be banked, including sick leave balances as a result of an opt over, and available for future use including as a donation through the KCTCS sick leave sharing or pool programs if the eligibility requirements are met.

Faculty annual leave earned through monthly accrual (under the 151B personnel system) shall be banked and available for use. Unused prorated faculty vacation leave earned under the KCTCS and UK personnel systems during the fiscal year in which the transfer occurred shall be banked and available for use up to one year from the effective date of the transfer conversion from faculty to staff.
2.15.2.10 Pay Band Changes/Adjustment

KCTCS shall conduct an ongoing review and refinement of the KCTCS classification and compensation plan and shall make necessary adjustments. Periodically, within the classification and compensation plan position titles may be changed and/or assigned on a system-wide basis to a different pay band to accurately reflect the evolving job responsibilities of the KCTCS workforce and market conditions based on revisions of existing job specifications documents. When changes in pay band assignments are made employees shall be at least at the minimum salary level of the new pay band and may be eligible for a salary increase of up to 10% of the current salary only if approved by the college president/ceo in consultation with the KCTCS Vice President primarily responsible for Human Resources.

2.15.2.11 Demotion

A demotion is:

1) a change from a regular position to a different regular position assigned to a lower band within the KCTCS job classification system, excluding a change due to a reassignment or administrative reorganization, or

2) a change in position and/or employee duration category of a regular staff employee or of a regular faculty member with tenured employment status, tenure-track employment status, term contract employment status, continued employment status, or continuing employment status from regular to temporary and/or from full-time to part-time.

A demotion is either voluntary or involuntary. A voluntary demotion is one in which the KCTCS employee elects to take a position in a lower pay band. The KCTCS President approves voluntary demotions for college presidents/ceo’s. College presidents/ceo’s or system office cabinet members (for system office employees) approve voluntary demotions, in consultation with the KCTCS Vice President primarily responsible for Human Resources. Unsatisfactory performance or lack of qualifications to perform the duties required of the position may result in an involuntary demotion, as determined by the college president/ceo or system office cabinet member in consultation with the KCTCS Vice President primarily responsible for Human Resources.

When a demotion occurs, KCTCS shall reduce the demoted employee’s salary. The new salary shall be within the classification pay band range for the new position and with consideration of internal equity and commensurate with qualifications.
2.15.2.12 Separation

Separation shall comply with Section 2 of the KCTCS Board of Regents Policies and Section 2 of the KCTCS Administrative Policies and Procedures, as well as KCTCS Human Resources Procedures.

2.15.2.12.1 Proration of Salary for Faculty Members Separating Employment

KCTCS Personnel System and the UK Personnel System
The period of assignment for faculty with a 10-month assignment period is August 1 through May 31. One-tenth (1/10) of the annual salary is considered earned for each full month of service during this assignment period.

The period of assignment for faculty with an 11-month assignment period is August 1 through June 30; however, with prior consultation and approval of the Chancellor, the month when the faculty member is not on assignment during a fiscal year may be a month other than July. One eleventh (1/11) of the annual salary is considered to be earned for each full month of service during an assignment period.

The period of service for faculty in a 12-month assignment period is July 1 through June 30. One-twelfth (1/12) of the annual salary is considered earned for each full month of service during this assignment period.

If separation of employment occurs prior to the start of the assignment period, the faculty member shall not be entitled to any pay for that assignment period within the new appointment period.

If separation occurs during the assignment period, the salary and vacation leave for that month shall be prorated in accordance with the faculty vacation leave and terminal vacation pay policies and regulations of the applicable personnel system. If separation during the assignment period occurs at a time other than the end of the month, the salary for that month shall be prorated on the basis of calendar days.

Temporary (adjunct) faculty who leave before the end of their contract shall be entitled to pay on a prorated basis based on the number of class periods they actually taught of the total scheduled classes to be held during their assignment period.

Regular and adjunct employees are responsible, based on the actual portion of the assignment period worked prior to separation, for repaying KCTCS for any overpayment of unearned salary and/or employer insurance contributions paid during the appointment period.
18A/151B Personnel System
For employees under this personnel system pay is addressed in the provisions of their
retirement plan and in the Kentucky Administrative Regulations for KRS Chapter 18A
and KRS Chapter151B in effect as of June 30, 1998, located in Appendix I (Section 2) of
this manual.

2.15.2.13 Appointment and Assignment Periods

Staff Assignment Periods
Staff assignment periods shall normally be for 12 months. Designated staff positions
shall be established as having either 10-month assignment periods or 11-month
assignment periods.

Faculty Assignment Periods
Faculty members have both an appointment period and an assignment period. The
appointment period is a twelve month period from July to June, coinciding with the
KCTCS fiscal year period. The assignment period is the time interval within the
appointment period that the faculty member is actually assigned to work. The assignment
period may encompass the entire appointment period or may encompass only a portion of
the appointment period, depending on the length of the assignment period. For faculty
members employed on a contract, the appointment period and the designated assignment
period are specified in their contract.

Faculty assignment periods are 10 months, 11 months, or 12 months, depending upon
program and curriculum needs and as allowed under the respective personnel systems.
Although faculty members work either a 10-month, 11-month, or 12-month assignment
period, pay for the various assignment periods is spread over the course of the 12-month
appointment period. Except for newly appointed faculty members, payments for 10-
month, 11-month, and 12-month assignment periods normally begin in July, even though
the faculty member’s assignment period may not begin until August. Payment normally
shall begin in August for newly appointed faculty members whose assignment period
begins in August. Payments for 10-month, 11-month, and 12-month assignment periods
normally end in June, even though the faculty member’s assignment period may end
during May.

Faculty on a 10-month, 11-month, or 12-month regular assignment shall be paid in
twelve (12) equal installments during the fiscal year in their second year and subsequent
years of employment. Exceptions
to this rule are salary paid to faculty whose separation occurs prior to the end of the fiscal
year and for faculty who do not receive a paycheck for every pay period during the fiscal
year due to being in a leave without pay status.
2.15.2.13.1 Ten-Month and Eleven-Month Staff Assignment Periods

Certain regular full-time staff positions shall be officially designated and established as a 10-month or 11-month position. The determination to designate a staff position as a 10-month or 11-month assignment period is based on the operational needs of KCTCS.

When in established 10-month and 11-month positions, staff employees shall work during their assignment period and shall not be assigned to work in their regular position during the period of time that is outside of their assignment period. Staff employees in 10-month and 11-month positions shall be considered regular full-time employees for all human resources policy purposes in accordance with the following provisions:

- Employees shall not be eligible to receive unemployment compensation during the period of time outside of their assignment period.
- Employees shall not accrue paid leave during the period of time outside of their assignment period.
- Employees shall not be entitled to holiday pay or the use of or payment for vacation leave, sick/temporary disability leave, or other paid leaves during the period of time outside of their assignment period.
- Terminal vacation pay for eligible staff who have a 10-month or 11-month assignment period shall be calculated at a rate of pay based on the length of their assignment period (10-month or 11-month).
- Participation in insurance plans shall continue during the period of time outside of their assignment period under the same conditions that are in effect during the assignment period.
- Other benefits afforded to regular full-time employees shall continue and may be used during the period of time outside of their assignment period, except for benefits for which employees in a leave without pay status are ineligible (such as retirement).
- Employees in 10-month and 11-month positions shall abide by all other applicable policies and procedures.

**Proration of salary**

The period of assignment for employees in 10-month and 11-month positions shall be for either 10 months or 11 months; one-tenth (or one-eleventh) of the annualized salary is considered earned for each full month of employment in a 10-month or 11-month position.

Due to state and federal regulations salary payments for non-exempt staff employees in 10-month and 11-month positions shall be paid only during the time period(s) in which the actual work is performed in the established KCTCS pay cycle for the assignment period.
For exempt staff employees in 10-month and 11-month positions, beginning with the 2007-08 fiscal year salary payments shall be extended over 12 months of the year. During the transition, starting August 1, 2006, payments for existing exempt staff in 10-month and 11-month positions shall begin in July, even though the staff members’ assignment period may not begin until August. Each year salary payments for exempt employees in 10-month and 11-month positions shall end in June, even though the employees’ assignment period may end during May.

Payment shall begin in August for newly hired exempt staff employees in 10-month and 11-month positions whose assignment period begins in August. Exempt staff employees in regular 10-month and 11-month positions shall be paid in 24 equal installments during the fiscal year in their second year and subsequent years of employment.

Exceptions to these rules are: 1) exempt staff employees in 10-month and 11-month positions whose separation occurs prior to the end of the fiscal year and 2) exempt staff employees in 10-month and 11-month positions who do not receive a paycheck for every pay period during the fiscal year, due to being in a leave without pay status during their normal assignment period.

Exempt and non-exempt staff employees employed in 10-month and 11-month positions may be permitted to work at KCTCS during the period of time that is outside of their assignment period in a different position and only on a temporary basis.

Additional provisions regarding employees in 10-month and 11-month positions shall be adhered to in accordance with other KCTCS policies and human resources procedures related to benefits and leaves of absence.

2.15.2.13.2 Faculty Salary Conversion
Related To a Change in Assignment Period

KCTCS and UK Personnel Systems
Faculty assignment periods are ten (10) months, eleven (11) months, or twelve (12) months. When a faculty assignment period is changed from one assignment period to another, it may be accompanied by a change in the faculty assignment period salary (FAPS). The following table depicts the customary faculty salary conversions related to changes in faculty assignment periods.

FACULTY SALARY CONVERSION TABLE RELATED TO CHANGE IN ASSIGNMENT PERIOD

Relationships in this table are based on the ratio of the number of non-vacation or working months during the new faculty assignment period to the number of such months during the old assignment period.
<table>
<thead>
<tr>
<th>New Assignment Period (Months)</th>
<th>Old Assignment Period (Months)</th>
<th>New Faculty Assignment Period Salary (FAPS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>11</td>
<td>9/10 (90%) of 11-month assignment period salary = 10-month assignment period salary</td>
</tr>
<tr>
<td>10</td>
<td>12</td>
<td>9/11 (82%) of 12-month assignment period salary = 10-month assignment period salary</td>
</tr>
<tr>
<td>11</td>
<td>10</td>
<td>10/9 (111%) of 10-month assignment period salary = 11-month assignment period salary</td>
</tr>
<tr>
<td>11</td>
<td>12</td>
<td>10/11 (91%) of 12-month assignment period salary = 11-month assignment period salary</td>
</tr>
<tr>
<td>12</td>
<td>10</td>
<td>11/9 (122%) of 10-month assignment period salary = 12-month assignment period salary</td>
</tr>
<tr>
<td>12</td>
<td>11</td>
<td>11/10 (110%) of 11-month assignment period salary = 12-month assignment period salary</td>
</tr>
</tbody>
</table>

Salaries for faculty who converted from a 12-month assignment period to a 10-month assignment period subsequent to an election to opt over from the 151B personnel system to the KCTCS personnel system shall not be converted if the change in assignment period occurs within one (1) year of the effective opt over date.

Any faculty who previously converted to a shorter assignment period with no salary conversion having been applied at that time shall have no salary conversion applied if the faculty subsequently return to a longer assignment period.

### 151B Personnel System

In accordance with the administrative regulations for KRS Chapter 151B (see Appendix 1), faculty shall have a 12-month assignment period; therefore, with no change in assignment periods, salary conversion is not applicable.

If eligible due to the faculty member being assigned administrative duties, the faculty member may be entitled to an administrative supplement in salary. Any administrative supplement to the faculty salary shall be established in writing and shall be applicable only during the period of administrative assignment. If the administrative duties are subsequently removed from the faculty member’s responsibilities, the corresponding administrative salary supplement is likewise removed from the faculty member’s salary.
2.15.2.14 Reduction in Force

In accordance with KCTCS Board Policy 1.1, a reduction in force may occur because of lack of work or funds. The reduction in force shall be implemented in accordance to removal strategies identified by the college president/ceo and submitted to the KCTCS Vice President primarily responsible for Human Resources.

2.15.2.15 Reemployment

Former KCTCS employees shall be hired under the KCTCS personnel system in accordance with the policies and procedures for new hires.

2.15.2.16 Exceptions

The KCTCS Vice President primarily responsible for Human Resources may consider exceptions to the above policies and procedures as appropriate. The college president/ceo will submit requests for salary adjustments that exceed the stated policy maximums to the Vice President for review and approval. Requests for exceptions may include considerations for salary adjustments related to equity pay, increases in responsibilities, reorganization, reassignments, reclassification, and promotions. Exceptions to the above policies and procedures involving faculty will be determined in consultation with the Chancellor. Such requests should be submitted to the Vice President 60 calendar days prior to awarding salary adjustments.
2.15.5  Shift Differential Pay

KCTCS recognizes the need for supplemental pay for certain designated positions in specific occupational categories within the KCTCS classification and compensation plan for hours of work that may be in periods of time or in circumstances other than those considered normal. The KCTCS System Human Resources Office is responsible for establishing and administering supplemental pay policies.

One of these types of supplemental pay is referred to as a shift differential, a premium pay in addition to the normal rate of pay. Only non-exempt staff are eligible for shift differential pay.

A differential rate of pay shall be added to the regularly established rate of pay for eligible staff employees working on designated second and third shift operations.

Shift differential rates shall be a minimum of:
- $0.30 per hour for second shift
- $0.40 per hour for third shift

The college president/ceo, or other appropriately designated official, shall determine the exact hours of the second and third shift operations for the college as an entire operation. Shift hours and shift differential rates shall remain consistent throughout all departments of each college.

The determination of an employee’s eligibility to receive shift differential pay is based on the position the employee regularly holds, and the shift the position is normally assigned. The determination of a position’s eligibility for shift differential pay is based on the occupational category of the position, with this eligibility applying to all positions within the same designated occupational category, as determined by the college president/ceo and not solely by position title. The college director of human resources, in conjunction with the college payroll staff, shall coordinate and ensure that all college employees within the same occupational category (for example: custodial/service category or maintenance category) shall or shall not receive a shift differential pay based on the work shifts the employees are regularly assigned.

Only employees who are regularly scheduled to work second or third shift on an ongoing basis shall receive shift differential pay. Employees who are regularly scheduled to work first shift shall not receive shift differential pay for partial shifts for hours worked on 2nd or 3rd shifts immediately prior to or immediately following their regularly scheduled shift. Employees who work the complete 7.5 hours during second or third shift shall receive shift differential pay.

Employees who are regularly scheduled to work second or third shift shall receive shift differential pay during paid leaves.
Shift differential pay shall be added to the normal wage rate as a basis for computing the overtime rate but shall not be added to the normal wage rate for computing annual increases.

In addition, shift differential pay shall be addressed in accordance with applicable KCTCS policies and human resources procedure(s) regarding pay and scheduling.
2.16.1.1 Informal Personnel Dispute Resolution Procedures

KCTCS strives to foster an environment that encourages employees to bring an issue or dispute with a coworker directly to that individual. If a resolution cannot be reached with the individuals, employees shall arrange a meeting with their immediate supervisor(s) to discuss issues that arise during the course of employment. Supervisors have the responsibility to respond to these matters so that employee concerns are properly addressed.

Another alternative in addressing concerns involves mediation through the KCTCS Voluntary Intervention Program. This may be invoked as an alternative to the Complaint Resolution Procedure (CRP) and engages all appropriate parties in the resolution of the issues. Once a complaint has been made under the CRP, appeals to the next level in the CRP may be placed “on hold” in order to attempt to reach resolution through the mediation process. If a signed Mediation Agreement is the outcome of the mediation process, then the issue shall be ineligible for further appeals through the CRP. Faculty or staff interested in mediation should contact their Human Resources Director. If this is not possible, you should contact System Office ODHR for assistance.

Any information discussed in such informal meetings is considered confidential to the extent possible. Retaliation against any employee for appropriate usage of open communication channels is prohibited. If the issues cannot be resolved informally, the individual shall be so informed and be advised of the KCTCS Complaint Resolution Procedure in writing by the appropriate supervisor or mediator.

6-13-11 ________________________       ____________________________________________
Date Approved by President, KCTCS   Date(s) of Last Review  Date(s) of Last Revision
(Include all dates in chronological order)

(SIGNED) 6-13-11   (SIGNED)        6-13-11
Recommended by Date President, KCTCS Date
2.16.2.1 Faculty Appeals through the KCTCS Senate Advisory Committee on Appeals (KCTCS Senate ACA)

The KCTCS Senate Advisory Committee on Appeals is charged with giving a recommendation on the following appeals referred to it by the KCTCS Chancellor, the KCTCS Faculty Senate, or individual faculty or staff members of KCTCS:

1. Cases of appointment termination for cause of a faculty member who has tenure;
2. Cases of dismissal of a faculty member during a tenure-track appointment;
3. Cases of non-renewal of a probationary appointment with less advance notice than specified by the Kentucky Community and Technical College System policies and procedures;
4. Cases of allegation by a faculty member on a non-tenured appointment that a decision for non-reappointment violates the faculty member's academic freedom;
5. Cases of allegation by a college administrator that a decision to terminate an appointment to that administrative post, or not to reappoint, violates academic freedom.
6. Cases of termination of a tenured appointment or the dismissal of a person prior to expiration of a non-tenured appointment, because of financial emergency; and
7. Cases of allegations of inadequate consideration or incomplete procedure related to the faculty promotion process.

Upon receipt of an appeal, the Committee determines if it has jurisdiction. If the Committee determines it has jurisdiction, the Committee shall set a date for a hearing which shall be within thirty (30) days of receipt of the appeal unless the Chair determines that good cause exists to extend the time. After the completion of the hearing(s) the Committee shall forward its recommendations to the KCTCS President. The KCTCS President shall make a decision after review of the report of the Committee and shall notify the Committee Chair and the parties.

If the Committee determines it does not have jurisdiction over the case, the appeal shall be returned to the appropriate parties.

The KCTCS Senate Advisory Committee on Appeals may, upon request, advise individuals on the interpretation of Kentucky Community and Technical College System
privilege, tenure, and promotion policies and procedures, with copies of the interpretations sent to the KCTCS Senate Council, the chairperson, the college president/chief executive officer, the college chief academic officer, and the KCTCS Chancellor. The committee may also consider allegations of faculty members who believe that their privilege as scholars has been abridged or abused. Faculty members shall address statements to the chairperson of the committee, describing in detail the reasons why they believe their privilege has been abused. The committee reviews the statement and determines whether conditions warrant further investigation. On conclusion of investigation, the committee makes recommendations to the faculty member and files a copy of these recommendations with the KCTCS Chancellor. Recommendations may also be made to the KCTCS Chancellor with a copy sent to the faculty member.
2.16.2.2 KCTCS Complaint Resolution Procedure

Most faculty and staff concerns or grievances can be resolved informally through normal collegial communication. Faculty and staff members are encouraged to take complaints to their immediate supervisor in the spirit of problem solving. Should these efforts be unsuccessful, the faculty or staff member may elect to proceed to additional steps of the KCTCS Complaint Resolution Procedure to make a complaint concerning a violation, misinterpretation or improper application of a specific personnel statute, regulation, safety procedure or policy as described herein, unless specified in other KCTCS policies and procedures that the complaint be referred to the KCTCS Senate Advisory Committee on Appeals which has broad jurisdiction on matters relating to faculty privilege as well as tenure.

All KCTCS employees have access to an appeal process to the KCTCS Board of Regents or to the Board's designee for applicable complaints. The KCTCS Board of Regents authorized the KCTCS President to establish a personnel dispute resolution process that results, in the final stage, in an independent third party appeal for all employees of the Kentucky Community and Technical College System for designated types of complaints as defined in the KCTCS Independent Third Party Appeal Process policy.

The persons accountable for the delivery and quality of service, namely department heads and their immediate supervisors, have the primary responsibility to resolve work disputes. Therefore, any appeal or complaint process should emphasize resolution within the management system at the earliest possible level - and in the shortest possible time frame.

Please contact the college or KCTCS Human Resources Office, KCTCS Office of Legal Services, or a KCTCS Administrator for more information regarding the process for reporting harassment, discrimination, hostile work environment, or retaliation. In accordance with the KCTCS Administrative Policy on Harassment, reports of these matters do not follow the Complaint Resolution Procedure.

The steps in the Complaint Resolution Procedure are as follows:

**Step 1**
An employee may direct a complaint to the immediate supervisor in writing within 10 working days of the occurrence or when a reasonable employee should have become aware of the issue. The supervisor will attempt to resolve the matter and respond to the employee in writing within ten working days. If not resolved, the employee may proceed to Step 2.
Step 2
The employee may then forward a written complaint, with a full description of the complaint including a description of the interaction with the supervisor, to the head of the institution within 10 working days of the time the employee receives a response to the complaint in Step 1. The institution head may choose to: (a) refer the matter to an intermediate immediate supervisor for investigation and recommended solution, or (2) assume direct responsibility. In either case, the head of the institution must give a written decision to the complaining employee within 10 working days of the receipt of the written complaint unless there is an agreed extension in writing. The employee will have 10 working days to accept the decision or proceed to Step 3 by appealing the matter to the KCTCS Chancellor in writing with a full description of the complaint and suggested remedy.

Step 3
The KCTCS Chancellor will take the matter under advisement, gather any additional information he/she deems necessary and render a decision within 20 working days, unless there is an agreed upon extension in writing. The employee will have 10 working days to accept the decision or proceed to Step 4 by appealing the matter to the Board of Regents in writing with a full description of the complaint and suggested remedy.

Step 4
Upon receipt of the complaint by the Board, the matter will be directed to the President of KCTCS, as the Board's designee, to investigate the case. The President may request that the Board designate an alternative designee for any particular case. In either case, the designee will air the complaint, gather relevant evidence directly or through other parties, consider options for resolution of the complaint and reach a decision. The decision reached should be based on its fairness to management as well as the employee, but most particularly that it be in the interest of providing quality service to the people of Kentucky. The designee will render a decision within 20 working days of the Board's receipt of the complaint unless there is an agreed extension in writing.

The decision of the Board's designee will be forwarded to the parties to the complaint and will be final, subject to the independent third party appeal process if applicable according to the KCTCS Independent Third Party Appeal Process policy.

For KCTCS system office employees, the same procedures and timelines apply, beginning with their immediate supervisor and proceeding through the normal chain of command. In any grievance in which the Chancellor is required to respond at Step 1 or Step 2, a System Vice President will perform Step 3 requirements.

The employee may have a representative at any step of the complaint resolution process.

Failure to forward a response to the complainant at any stage of the process within the set time frames shall be treated as a denial of the complaint at that stage.
Complaint resolution process steps are summarized in the table below:

<table>
<thead>
<tr>
<th>Step</th>
<th>Written Response Due Within</th>
<th>Employee Must Appeal in Writing Within</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Written with supervisor</td>
<td>10 working days</td>
<td>10 working days</td>
</tr>
<tr>
<td>2. Written with college president/ceo</td>
<td>10 working days unless extended in writing by mutual agreement</td>
<td>10 working days</td>
</tr>
<tr>
<td>3. Written with the KCTCS Chancellor</td>
<td>20 working days unless extended in writing by mutual agreement</td>
<td>10 working days</td>
</tr>
<tr>
<td>4. Board of Regents Designee (usually KCTCS President)</td>
<td>20 working days unless extended in writing by mutual agreement</td>
<td>Final, except for matters eligible for third party appeal.</td>
</tr>
</tbody>
</table>

6-22-98

Date Approved

6-13-11

Date of Last Review

6-14-05; 11-25-08; 5-4-10;
6-13-11

Date of Last Revision

Include all dates in chronological order

(SIGNED) 6-13-11

Recommended by

Date

President, KCTCS

(SIGNED) 6-13-11

Date
2.18 Employment Selection

KCTCS carefully selects new employees through appropriate selection procedures, including but not limited to resumes and/or written applications, personal interviews, reference checks, and pre-employment background checks. KCTCS makes decisions regarding employment after all available information has been considered and evaluated.

This selection process helps KCTCS find and employ people who:
- are concerned with their own personal success and the success of KCTCS;
- desire to do a job competently;
- can perform their work with the required skill and ability;
- can work well as part of a team; and
- can ensure a safe working and academic environment for employees, students, and the public.

KCTCS encourages and promotes career opportunities for current employees. If employees are interested in new career opportunities, they may contact the local Human Resources staff. Opportunities for advancement are also enhanced by self improvement through other educational, training, and development programs.

In addition, college and system officials shall adhere to other KCTCS policies and human resources procedures regarding employment selection.

Employment with Tenure

If approved through the KCTCS faculty promotion/tenure review process, academic administrators hired to fill administrative positions from outside of KCTCS may be granted tenure in an academic unit.

2.18.1 Pre-employment Background Check

Pre-employment criminal record checks are completed to protect KCTCS’ interests and the well-being of employees, students and other customers, and the public. Prior to becoming an employee of KCTCS, KCTCS shall administer on a system-wide basis a pre-employment background check, which includes a criminal record check, on all initial hires in compliance with KRS Chapter 164.281. The check shall provide background information in at least the following areas:

- Social Security search
- County criminal record search
- Kentucky statewide criminal record search
- National database criminal record search

Employment decisions regarding criminal record checks that indicate an applicant has a criminal conviction shall be made based on criteria including the following:
The nature and gravity of the offense;
- The length of time passes since the conviction and/or completion of the sentence;
- The nature, scope of responsibilities, and level of authority of the position being sought;
- The applicant’s employment record since the offense and conviction occurred;
- The information contained in professional letter(s) of reference, if available and appropriate;
- The information obtained in reference checks of previous employers, if appropriate;
- The supervisor’s or other college official’s recommendation regarding the hiring of the applicant.

In addition, a comprehensive background check may include, but is not limited to, prior employment verification, professional reference checks, and education confirmation. As appropriate, a credit history, health examination, and/or driving record check may also be obtained.

Procedures for conducting pre-employment background checks and making a determination regarding employment are specified in the related KCTCS human resources procedure.

### 2.18.2 Credit Investigation

Following the requirements imposed by the Federal-Truth-In-Lending and the Fair Credit Reporting Acts (a federal statute that regulates the activities of consumer reporting agencies and users of credit reports, and protects consumers from invasions of privacy by placing certain restrictions on persons who may use or disseminate credit information about consumers), KCTCS may conduct a pre-employment credit check only on those applicants for positions that involve financial responsibility. KCTCS employment may be conditional upon review of the information in the credit check. In addition, KCTCS reserves the right to conduct this credit check at any time after an individual has been employed.

Remember, applicants/employees have certain legal rights to discover and to dispute or explain any information prepared by the credit checking organization(s).

### 2.18.3 Driver's License and Driving Record

Employees whose work requires operation of a motor vehicle shall present and maintain a valid driver's license and a driving record acceptable to KCTCS’ insurer. Employees may be asked to submit a copy of their driving record to KCTCS periodically. Any changes in an employee’s driving record shall be reported to the immediate supervisor or designated organization representative immediately. Failure to do so may result in disciplinary action, up to and including possible termination.
2.18.4 Health Examinations

KCTCS reserves the right to require an offeree’s or employee's participation in a health examination to determine the employee's ability for performing his/her essential job functions. All such health exams shall be paid for by KCTCS.

2.18.5 New Employee Orientation and Training

Beginning on or about the new employee’s first day of employment, regular employees shall participate in the new employee orientation and training program conducted by personnel from the human resources office, the administration, staff from the new employee’s department, and/or the supervisor. This shall include orientation and training information related to the KCTCS organization; the college organization; the employee’s position responsibilities; policies and procedures; departmental rules, policies, and related information; and employee benefits information. During the orientation and training process the new employee shall be given employment and orientation forms and other documents to be reviewed and completed on a timely basis. Depending on the department's workload, the new employee’s immediate supervisor or other designated individual shall introduce him/her to co-workers, show him/her the office layout, and provide him/her with other pertinent information.

Temporary employees shall participate in an abbreviated orientation and training program.
2.19 Attendance/Hours of Work

Each employee shall work the hours scheduled for his/her position as a normal condition of work. Particular hours of work shall be determined and assigned by the supervisor in accordance with all federal, state, and local laws as well as KCTCS Administrative Policies and Procedures. Any questions concerning work schedules shall be directed to the immediate supervisor.

Additional provisions regarding attendance shall also be followed in accordance with applicable KCTCS policies and human resources procedure(s) related to scheduling and hours of work.

2.19.1 Flex-Time

KCTCS encourages the scheduling of flexible work hours when mutually beneficial for the employee(s) and KCTCS. Based on business need and supervisory approval, employees may have the opportunity to propose preferred hours of work to supervisors for consideration. The total number of hours worked per pay period shall remain the same during approved flex-time scheduling (for staff and non-teaching faculty, a minimum of 37.5 hours (normally not to exceed 40 hours per week for non-exempt employees without supervisory approval; for faculty, hours will be in accordance with KCTCS Administrative Policies and Procedures.)

2.19.2 Work Schedule

The normal work week for a non-exempt, full-time staff employee is 37.5 hours, normally distributed over five consecutive days, Monday through Friday. This schedule may vary depending on workloads, time required to complete assignments, and scheduling needs. The supervisor shall establish work schedules as operational needs demand. Any changes to the work schedule shall have the prior approval of the supervisor. Faculty work schedules are determined by the demands of their position and department and the Performance Planning and Evaluation form in accordance with KCTCS policies and procedures.

2.19.3 Work Arrival and Departure

The supervisor shall inform employees of expected arrival and departure times. A non-exempt employee scheduled to work is expected to remain on the job performing the duties of the job until the completion of his/her scheduled work day. In addition to complying with the hours of service maintained by the department, exempt employees are governed by completion of tasks as well as responsibility for assuring that projects are completed on time. This may require additional work outside of the scope of normal work hours. When these occasions arise, employees are expected to fulfill their responsibilities to the organization.
2.19.4 Reporting to Work

KCTCS values regular attendance. Employees unable to report to work due to illness or emergency shall notify the immediate supervisor by telephone within thirty (30) minutes of their scheduled shift start time to report the absence of each day, to request leave time, and to advise when they will be able to return to work. The employee’s failure to notify their immediate supervisor within thirty (30) minutes of their shift start time regarding an absence may result in progressive disciplinary action, up to and including termination, and/or lack of approval to use paid vacation, sick, or compensatory leave for the absence.

For additional information about unreported absences, refer to KCTCS policies and procedures regarding job abandonment.

Excessive or unplanned absenteeism and/or tardiness are disruptive, and a violation may lead to disciplinary action, including termination of employment.

2.19.5 Rest Periods

Employees are not required to work more than four hours without being permitted a paid rest period of fifteen minutes. Rest periods are in addition to regularly scheduled meal periods. These rest periods shall be scheduled as nearly as possible to the middle of each four-hour work period. The rest period may be taken in three five-minute intervals if deemed appropriate by the supervisor and arranged in advance. The scheduling of rest periods shall be arranged with the supervisor and communicated to coworkers in the area when applicable in order to maintain departmental and service objectives. No reduction in salary shall be made for these rest periods. These compensable rest periods may not be offset against other working time.

Employees scheduled to work a seven and one half hour day are permitted two fifteen-minute rest periods, one near the middle of the shift before a meal period and one near the middle of the shift after a meal period.

2.19.6 Meal Periods

Each employee shall be granted a reasonable period of time for daily meal periods. The meal period shall be scheduled as nearly as possible to the middle of the work day or shift of more than five hours. Employees shall not be required or permitted to take a meal break sooner than the third hour of work or later than the fifth hour of work. Thirty to 60 minutes is considered adequate time for a bona fide meal period and employees are required to take a minimum of 30 minutes for meal period. The scheduling of meal periods shall be arranged with the supervisor and communicated to coworkers in the area
when applicable in order to maintain departmental and service objectives. Employees shall not perform work-related duties during meal periods. Meal periods are not counted as hours worked.
2.19.7  KCTCS Job Abandonment Policy

KCTCS Personnel System and UK Personnel System
Employees who are absent from work for three consecutive working days, without proper notification to the immediate supervisor regarding the absence, will be considered as having abandoned their job and resigned their employment at KCTCS “not in good standing”.

Prior to making a determination regarding job abandonment for employees under the KCTCS personnel system, the employee’s immediate supervisor or other designated college or KCTCS official shall make a good faith effort to contact the employee to ensure there are no extenuating circumstances concerning the absences. If the supervisor or designated official is unable to make contact with that employee and/or no extenuating circumstances are identified, the job abandonment designation is then made.

The employment separation decision should be communicated to employees by mail.

18A/151B Personnel System
KCTCS employees under this personnel system are subject to the terms regarding job abandonment that are specified in the Administrative Regulations for KRS Chapter 18A and KRS Chapter 151B located in Appendix I Section 2.
2.20 Core Values and Ethical Conduct Policy

The Kentucky Community and Technical College System (KCTCS) has a responsibility for the stewardship of institutional resources and the public and private support that enables it to pursue its mission. Ethical conduct is a part of that responsibility. Compliance with all federal, state, and local government laws and regulations to which KCTCS is subject is imperative. To assist with ethical conduct and commitment to policy and procedure compliance, the following core ethical values and principles shall apply in all KCTCS operations and to all persons employed by KCTCS, regardless of rank or position. These values serve as the permanent foundation upon which KCTCS operates. Policies and procedures implementing these principles have been and may be enacted to help ensure understanding and compliance of these standards.

Additionally, as a mechanism to address unethical or illegal behavior, KCTCS provides an avenue for reporting possible wrongdoing.

2.20.1 Ethical Values and Principles

The following are core ethical values and principles KCTCS honors within its decision-making processes and views as critically important to the KCTCS community -- employees, regents, students, volunteers, contractors, and the public:

- Honesty and trustworthiness
- Respect and responsibility
- Fairness
- Academic excellence and freedom
- Diversity of thought, culture, gender, and ethnicity
- Community
- Accountability

It is with a commitment to these core ethical values that each member of the KCTCS community must endeavor to:

- Promote the best interests of KCTCS.
- Preserve the public's trust, respect, and confidence in KCTCS.
- Exhibit personal integrity, honesty, and responsibility in all actions.
- Provide an environment of mutual respect, impartiality, and collaboration.
- Maintain confidentiality in all matters deemed confidential.
- Assure independence of judgment free from conflicting interests.
- Ensure that relationships that constitute or could be perceived as conflicts of interest are fully and properly disclosed and that KCTCS policies and procedures are followed.
- Comply with the policies and procedures of KCTCS and applicable federal, state, and local laws and regulations.
- Demonstrate stewardship of KCTCS property and resources.
2.20.2 Code of Conduct

The guidelines regarding professional conduct for KCTCS Regents, faculty, staff and other representatives and volunteers are addressed in KCTCS policies and procedures including, but not limited to:

- **Conflict of Interest** (KCTCS Board of Regents Bylaws 1.3.1)
- **Core Values and Ethical Conduct Business Procedures** (KCTCS Business Procedures 1.20)
- **KCTCS Outside Employment** (KCTCS Administrative Policy and Procedure 2.11.3)
- **Harassment-Free Workplace** (KCTCS Administrative Policy and Procedure 3.3.1)
- **Consensual Relationships Policy** (KCTCS Administrative Policy and Procedure 3.3.1.4)
- **Nepotism** (KCTCS Administrative Policy and Procedure 3.3.2)
- **Intellectual Property** (KCTCS Administrative Policy and Procedure 3.3.5)
- **KCTCS Fund-Raising Policy** (KCTCS Administrative Policy and Procedure 3.3.18)
- **Outside Activities -KCTCS** (KCTCS Administrative Policy and Procedure 3.3.19)
- **Information and Information Technology Responsible Use Policy** (KCTCS Administrative Policy and Procedure 4.2.5)
- **Policy and Procedures for Private Fund Raising** (KCTCS Administrative Policy and Procedure 7.6)

2.20.3 Reporter Protection

KCTCS employees may report suspected fraud, waste, and abuse to their immediate supervisor, college or KCTCS Human Resources Office, KCTCS Office of Legal Services, or a KCTCS Administrator. In addition, employees may make a report of these matters by calling the contracted reporting service 24 hours 7 days per week. *In all instances, reporting of suspected fraud, waste, and abuse shall be investigated and treated as confidential.*

KCTCS will not take any adverse employment action against an employee bringing issues forward under the provisions of KRS Chapter 61.102.
Kentucky’s criminal code has various laws for prosecuting fraud, including the provisions related to theft, forgery, business and commercial fraud, miscellaneous crimes affecting businesses, occupations and professions, obstruction of public administration, and perjury.

Similarly, there are federal laws and regulations that provide protection against retaliation for reporting of false claims. The current Federal False Claims Act (FCA) provides the government with authority to identify and recover monies paid out fraudulently and issue associated penalties for violations. Likewise, federal law (Federal Program Fraud Civil Remedies Act) provides for administrative remedies (fines) against persons who make or cause to be made, a false claim or written statement. Federal law also provides provision for civil penalties on any person who makes, presents, or submits or causes to be made, presented, or submitted a claim that the person knows or has reason to know is false, fictitious, or fraudulent.

KCTCS will refer potential violations of federal or state laws to law enforcement authorities and take other action as appropriate.
Appendix 1, Section 2

Former KRS 151B Employees Transferred to KCTCS Under KRS 164.5805(1)(e)
Former KRS 18A Employees Transferred to KCTCS Under KRS 164.5805(1)(e)
SECTION 3

Equal Opportunity, Benefits, Health and Safety Related Policies
3.1.1 KCTCS Policy for Employing People With Disabilities

It is a policy of the KCTCS to comply with the Americans With Disabilities Act (the “ADA”), and applicable state and local laws that forbid discrimination in employment against qualified individuals with disabilities.

3.1.1.1 KCTCS Procedure for Employing People With Disabilities

The purpose of these procedures is to support equal opportunity in employment for all qualified persons with disabilities and to accommodate qualified individuals with disabilities.

In support of its policy to comply fully with the ADA and other federal and state laws that prohibit discrimination in employment against qualified individuals with disabilities, the Director of Human Resources of the applicable college will use the following procedures:

1. Review recruiting, advertising, and job application procedures to provide persons with disabilities meaningful employment opportunities. Upon request, the applicable college will make applications available in alternative accessible formats, such as providing assistance in completing employment applications. Pre-employment inquiries will be made only with regard to an applicant’s ability to perform the duties of the position, not any disabling condition. The applicable college may, however, make pre-employment inquiries into the ability of an applicant to perform job-related functions, and may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions;

2. Require pre-employment physical examinations only after conditional job offers, and only for those job categories for which physical examinations are given to all persons entering the position. Pre-employment medical examinations may or may not be job-related and consistent with business necessity. Medical examinations of existing employees will be required only when job-related and justified by business necessity;

3. Conduct voluntary medical examinations and activities, including voluntary medical histories, which are part of the KCTCS’ employee health program;

4. Maintain all medical-related information in a confidential manner in separate confidential files;

5. Provide reasonable accommodation to all persons with disabilities, whether applicants for employment or employees, except where making an accommodation would create
an undue hardship on the applicable college or the KCTCS;

6. Entitle all qualified employees with disabilities to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, promotion and demotion, leaves of absence (including sick leave), fringe benefits, and other terms, conditions, or privileges of employment; and

7. Notify all individuals with disabilities that the applicable college and the KCTCS provide reasonable accommodation to qualified individuals with disabilities by including a statement to this effect in applicable policy manuals and by posting the Equal Employment Opportunity Commission’s poster regarding non-discrimination against the disabled and other protected groups in conspicuous places upon the college premises where notices to employees and applicants for employment are customarily posted.

### 3.1.1.2 KCTCS Accommodation Procedures

1. All requests for accommodation from qualified applicants and employees with disabilities must be in writing; contain the name, address, and telephone number of the person requesting the accommodation; and describe the reason for which the accommodation is being requested. Requests for accommodation must be referred to the Director of Human Resources of the applicable college, or a designee.

2. Upon receipt of an accommodation request, the Director of Human Resources of the applicable college will meet with the applicant or employee requesting the accommodation to discuss and identify the precise limitations resulting from the disability and potential accommodations that allow the individual to perform the essential functions of the job.

3. If necessary, the Director of Human Resources of the applicable college will discuss potential accommodations with the individual’s supervisor or potential supervisor. In addition, the Director of Human Resources of the applicable college may contact outside agencies specializing in providing technical assistance for persons with disabilities, or consult with medical experts about potential accommodations.

4. In order to identify a reasonable accommodation, the Director of Human Resources of the applicable college will:

   a. Consult with the supervisor and written job description to determine the purpose and essential functions of the job involved;

   b. Consult with the person with a disability to determine specific physical or mental abilities and limitations as they relate to the essential job functions. The barriers to job performance and potential methods of overcoming these barriers will be identified and
c. Consult with the person with a disability to identify potential accommodations and assess the effectiveness of alternative potential accommodations.

5. In order to evaluate potential accommodations. The Director of Human Resources of the applicable college may do one (1) or more of the following:

a. Request a written statement from the physician of the person with a disability to verify the disability and legitimate need for an accommodation;

b. Require the individual to be examined by a medical expert selected by the applicable college to help identify effective accommodations;

c. Require the individual to be evaluated by a psychologist, psychiatrist, rehabilitation counselor, occupational or physical therapist, or any other professional with knowledge of the person’s disability; and

d. Require access to the individual’s medical records.

6. The Director of Human Resources of the applicable college or a supervisor who has a need to know (e.g., the individual’s supervisor, or, if an applicant, prospective supervisor), will determine the feasibility of potential accommodations. The factors taken into consideration shall include, but may not be limited to, the following:

a. The nature and net cost of the accommodations needed, including tax credits and deductions or outside funding available to the applicable college or to the KCTCS;

b. The financial resources of the applicable college or of the KCTCS, as appropriate, the number of employees of the applicable college or the KCTCS and the effect on expenses and resources of the applicable college or of the KCTCS;

c. Consideration of special types of employment operations where, on a case-by-case basis, providing a particular accommodation might be an undue hardship; and

d. The impact of making the accommodation on the operation of the applicable college or of the KCTCS, including the impact on the ability of other employees to perform their duties and the impact on the ability to conduct the business of the applicable college or of the KCTCS.

7. A college is not required to make a reasonable accommodation if such accommodation would impose an undue hardship on its operation or the operation of the KCTCS. However, if a particular accommodation would impose an undue hardship, the applicable college or the KCTCS, as appropriate, must consider whether there are alternative accommodations that would not impose such hardship.

An undue hardship is an action that requires significant difficulty or expense in relation to the size of the applicable college or of the KCTCS, as appropriate, the resources available to it, and the nature of the operation.
The concept of undue hardship includes any action that is:

a. unduly costly:

b. extensive:

c. substantial;

d. disruptive; or

e. that would fundamentally alter the nature or operation of the applicable college or the KCTCS.

8. The Director of Human Resources of the applicable college in consultation with the KCTCS Vice President primarily responsible for Human Resources shall determine whether an accommodation can be made without causing the applicable college or the KCTCS undue hardship. All accommodation requests involving expenditures not budgeted shall be reviewed with and approved by the KCTCS Vice President primarily responsible for Human Resources prior to granting any accommodation.

9. In choosing between several effective accommodations which would provide an equal employment opportunity, the applicable college and the KCTCS will consider the preference of the individual to be accommodated; but if there are two (2) or more effective accommodations, the applicable college, or the KCTCS, as appropriate, may choose the least expensive accommodation, or the accommodation which is easiest to provide.

10. Once the decision is reached as to whether an accommodation can be made without causing either the applicable college or the KCTCS undue hardship, or how an accommodation will be made, the Director of Human Resources of the applicable college or the KCTCS Vice President primarily responsible for Human Resources, as appropriate, will inform the applicant or employee of the decision regarding the accommodation.

11. Although the duty to accommodate is legally triggered by a request from an applicant or employee, situations may arise where an employee who is known to have a disability may be having difficulty performing the essential job functions. In these circumstances, the employee’s supervisor may discuss the matter with the Director of Human Resources of the applicable college or with the KCTCS Vice President primarily responsible for Human Resources, as appropriate. If it is determined that the employee should be approached about the possibility of the applicable college or
the KCTCS providing a reasonable accommodation, the Director of Human Resources of the applicable college or the KCTCS Vice President primarily responsible for Human Resources, as appropriate, and the employee’s supervisor will jointly initiate a discussion with the employee about the need for an accommodation.
3.3.1 Harassment-Free Workplace

KCTCS is committed to providing a work environment that is respectful, professional, and free from unlawful harassment and other forms of illegal discrimination. Individuals, including students, employees, volunteers, customers, and visitors, shall not be forced to tolerate a hostile work environment or be subject to illegal offense(s) against a person or property motivated in whole or in part by an offender’s bias against a sex, race, religion, disability, ethnic origin, sexual orientation, or any other characteristic protected by local, state, or federal employment discrimination law. All employees in all positions, as well as volunteers, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

3.3.1.1 Harassment

Unlawful harassment, including sexual harassment, is prohibited, illegal conduct in the workplace. The terms are defined as follows:

- **Unlawful Harassment** – A legal term which describes a form of illegal employment discrimination that is unwelcome conduct based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information in which:

  1. Enduring the offensive conduct becomes a condition of continued employment. OR
  2. The conduct is severe enough or frequent and pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

- **Sexual Harassment** - A legal term which consists of a form of unlawful harassment that is unwelcome sexual advances, requests for sexual favors, and/or other verbal, non-verbal, or physical conduct of a sexual nature when:

  1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
  2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
  3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Discrimination in the form of unlawful harassment occurs as either “quid pro quo” or a “hostile work environment,” defined as follows:

- **Quid Pro Quo** - A legal term (derived from a Latin phrase meaning “this for that” or “something for something”) in which a victim, against his or her wishes,
is expected to provide sexual favors in order to receive favorable workplace treatment or face unfavorable workplace treatment if he or she refuses, which is unlawful.

- **Hostile Work Environment** – A legal term related to illegal discrimination defined as a work environment that is created as a result of persons being forced to suffer unlawful harassment based upon their race, sex, age (40 or over), national origin, color, religion, or disability that unreasonably interferes with an employee’s work performance, which is unlawful.

Not all negative interaction constitutes unlawful harassment. Negative behavior that is directed toward an individual on the basis of his/her sex, race, age (40 or over), national origin, color, religion, or disability may be unlawful harassment. The term “harassment” as stated throughout this policy refers to unlawful harassment.

If incivility, bullying, and other negative interactions do not constitute unlawful harassment, they may still be prohibited in the workplace. However, such behavior is addressed in other KCTCS policies related to proper conduct in the workplace, core values and ethical conduct, and KCTCS Human Resources Procedures regarding violations resulting in disciplinary action.

The term “hostile environment” is also often used by individuals in a generic, non-legal sense to describe a generally unfriendly, unpleasant working condition not tied to a specific unlawful act. However, in order to meet the legal definition of “hostile work environment,” the negative conditions in the working environment must be based on sex, race, age (40 or over), national origin, color, religion, or disability and must unreasonably interfere with work performance.

Therefore, in order to meet the legal definition of a hostile work environment, the behavior must be unlawful harassment based on sex, race, age (40 or over), national origin, color, religion, or disability; and it must unreasonably interfere with an employee’s performance.

This policy addresses and refers to the legal term “hostile work environment.”

Unlawful harassment can be verbal, non-verbal, or physical. Unlawful harassment can take many forms, including (but not limited to) innuendo, suggestive comments, threats, insults, jokes, horseplay, rumors, pictures, signs, writings, facsimiles, e-mail, text messages, internet postings, or other means of electronic communication or content, and gestures, based upon another person’s gender, race, age (40 or over), national origin, color, religion, or disability. In addition, sexual harassment of a physical nature is unwelcome, unwanted physical contact, including (but not limited to) touching, tickling, pinching, kissing, fondling, forced sexual intercourse, or assault.
Sexual harassment does not refer to normal, courteous, mutually respectful, non-coercive interactions between individuals or occasional compliments of a socially-acceptable nature.

It is the responsibility of every employee to insure that unlawful workplace harassment does not occur. Because unlawful harassment is not limited only to interactions between a supervisor and subordinate, harassment can potentially occur by a supervisor in another area, a subordinate, a direct co-worker or other employee, a volunteer, an individual of the same gender, or by someone who is not an employee of KCTCS, such as a student, client, or customer.

### 3.3.1.2 Responsibility for a Harassment-Free Workplace

Through enforcement of this policy and by education of employees and volunteers, KCTCS shall seek to prevent, correct, and discipline behavior that violates this policy.

In order to ensure a harassment-free workplace, KCTCS mandates the following:

- All employees complete applicable components of the mandatory KCTCS Harassment-Free Workplace Training program when initially hired and annually thereafter, as well as volunteers completing the training program when they begin their service.
- All employees, students, volunteers, customers, vendors, visitors, and other individuals shall engage in proper behavior and interactions.
- All supervisors, managers, and administrators shall take appropriate steps to report alleged incidents of harassment.
- KCTCS officials shall take appropriate follow-up action for any alleged incidents of harassment.

All employees and volunteers, particularly supervisors, have a responsibility for keeping our work environment free of harassment. Any employee or volunteer who becomes aware of an incident of alleged harassment, whether by witnessing the incident or being told of it, shall report it to his/her immediate supervisor, human resources staff, or the designated management representative with whom they are comfortable.

When supervisors or managers become aware of alleged harassment, it is KCTCS policy that they immediately notify the college Human Resources Office, the KCTCS Human Resources Office, or KCTCS Office of Legal Services in order for the claim to be fully investigated. When the organization receives notification of alleged harassment, it is obligated by law to take prompt and appropriate action, whether or not the victim wants KCTCS to do so.
3.3.1.3 Harassment Prevention Education and Training

KCTCS shall insure that all employees and volunteers are fully informed about proper behavior in the workplace, what constitutes illegal harassment, and of the requirement that all employees interact in a way to insure there is no workplace harassment.

As a condition of employment, all employees shall complete the components of the online Harassment-Free Workplace Training program as follows:

1. When initially hired, all new employees are required to complete the following within the first 30 days of employment:
   - Harassment-Free Workplace educational course.
   - Review KCTCS Policy 3.3.1 Harassment-Free Workplace, and acknowledge their understanding of it with their signature.

2. On an annual basis, all employees are required to complete the following:
   - Review KCTCS Policy 3.3.1 Harassment-Free Workplace and acknowledge their understanding of it with their signature.

It is a condition of KCTCS employment for employees to complete the required KCTCS Harassment–Free Workplace Training program as stated above.

Also, upon beginning their volunteer assignment, volunteers shall complete the training program, including taking the educational course and assessment and reviewing the KCTCS Policy 3.3.1 Harassment-Free Workplace along with completing an acknowledgment of their understanding of it with their signature. Volunteers shall complete the training either manually or electronically (offline).

KCTCS shall also provide periodic supplemental training for designated individuals.

3.3.1.4 Reporting Harassment Allegations

If an individual’s behavior offends an employee, KCTCS encourages the employee to communicate directly and immediately with the individual to inform the individual that his/her behavior is unacceptable, offensive, or inappropriate. However, direct communication between the employee and the individual who offends him/her is not required if the employee is uncomfortable doing so.

When certain actions are more severe, persistent, and if the employee perceives that it is harassment, the employee shall immediately report the incident. The employee shall report such an incident immediately even if he/she is not certain if the offending behavior is unlawful harassment.
Volunteers shall also report any incident they perceive to be harassment, even if he/she is not certain if the offending behavior is unlawful harassment.

**Complaint Venues**

An alleged victim shall report an allegation of workplace harassment using any of the established complaint venues for KCTCS employees and volunteers, which includes reporting it to their immediate supervisor, another management level employee, the college Human Resources Office, the KCTCS Human Resources Office, the KCTCS Office of Legal Services, a KCTCS administrator, the College Title IX Coordinator or through the official KCTCS telephonic/online ethics complaint hotline.

The individual receiving the initial report of any incident of alleged harassment shall contact the college or KCTCS Human Resources Office, KCTCS Office of Legal Services, or a KCTCS administrator.

**Investigation and Corrective Action**

KCTCS shall appropriately investigate allegations of unlawful harassment and take any necessary disciplinary action. KCTCS shall conduct the investigation promptly, thoroughly, and impartially with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed.

If KCTCS determines as a result of the investigation that an employee, student, volunteer, or any other individual unlawfully harassed an employee, volunteer, student, customer, or other individual, the harasser shall be subject to appropriate disciplinary action, up to and including termination of employment or voluntary assignment or other actions in accordance with the KCTCS Student Code of Conduct and student policies.

Employees or other individuals shall make allegations of harassment only in good faith. Any individual who intentionally makes a false report or exaggerates or misrepresents an allegation of harassment is subject to disciplinary action, up to and including termination.

KCTCS will also take any additional corrective action deemed necessary to appropriately remedy the situation before, during, and/or after the investigation is completed, including requiring additional related training if appropriate.

**Retaliation**

Retaliation of any sort is against the law; therefore, KCTCS will not tolerate retaliation related to a harassment complaint. Retaliation may include unlawful adverse employment action (such as a demotion, change in working hours/schedule or working conditions, etc.), offensive behavior on and off the job/KCTCS premises, and third-party retaliation (e.g., against victim’s close associate or relative if also employed at KCTCS). No unlawful adverse employment action or other retaliation shall be taken against any individual who resists or rejects unlawful harassment, who makes a good faith report or allegation of harassment, or who participates in a harassment investigation or proceeding. An individual who believes he/she has been retaliated against shall report it using the
same procedures as allegations of harassment or discrimination. KCTCS shall investigate any allegations of retaliation and take appropriate action if retaliation did occur.

**Liability**

KCTCS accepts no liability for harassment or retaliation. The individual who in any way unlawfully harasses an employee or other individual is personally liable for such actions and the legal and financial consequences thereof.

### 3.3.1.5 Sexual Misconduct Policy

KCTCS requires all members of the KCTCS community to conduct themselves in a manner that does not infringe upon the rights of others and permits all individuals to work and study free from sexual harassment, misconduct, or violence. When a complainant brings an allegation of any type of sexual misconduct to the appropriate administrator’s attention, KCTCS will take prompt action to ensure the safety and security of the complainant and of the campus. KCTCS will also thoroughly and impartially investigate the allegation and seek fair and equitable resolution for all parties. The Sexual Misconduct Procedure advances these principles and provides an administrative mechanism for the impartial investigation and the fair resolution of sexual misconduct complaints involving KCTCS students, employees, guests or visitors.

### 3.3.1.6 Consensual Relationships Policy

The definition of a "consensual relationship" is a mutually agreed upon romantic relationship and/or relationship involving physical intimacy.

In any workplace there are professional risks associated with consensual relationships in which a definite power differential exists between the parties. KCTCS is committed to fostering the development of learning and work environments characterized by professional and ethical conduct free of discriminatory behavior. Therefore, consensual relationships between an employee and a supervisory employee who is within his/her chain of command are prohibited while in a supervisory relationship, including direct or indirect supervision.

In addition, consensual relationships are prohibited between a student and the following:

- His/her instructor during the time in which the student is enrolled in the instructor’s class,
- His/her advisor.
- Other college official who is in the position to exert power over the student’s educational experience.

KCTCS considers consensual relationships in which there is a power differential to be a risk and potentially detrimental to the workplace for many reasons, including in part:
1. **Abuse of Power:**
   a. The reasons for entering such a relationship may be a function of the power differential.
   b. Where power differentials exist, even in seemingly consensual relationships, consent shall not be considered a defense if a complaint of sexual harassment or retaliation is brought.
   c. The individual in the relationship with greater power will bear the burden of accountability.

2. **Conflict of Interest:** Conflicts of interest may arise due to consensual relationships between instructors, other KCTCS staff and students, or between supervisors and subordinates. The KCTCS nepotism policy prohibits individuals from making or influencing decisions affecting those with whom they have intimate, familial relationships. The same principles apply in regard to consensual relationships.

KCTCS recognizes that it cannot fully regulate all personal decisions. However, due to the potential for consensual relationships to have unintended negative consequences, employees should be aware that consensual relationships among employees may negatively affect the work environment, the ability to prove an alleged harassment complaint, or the ability to defend an alleged harassment complaint.

KCTCS will not accept liability for individual employee decisions or actions regarding consensual relationships.

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**Recommended by**

President, KCTCS

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3.3.2 Nepotism

Specific approval from the KCTCS President or Vice President primarily responsible for Human Resources, as appropriate, is required before employees related by blood or marriage work in the same department or division.

In most cases in which employees are related by blood or marriage, neither shall have supervisory or line authority over the other.

Under KCTCS policy, persons related by blood or marriage include parents and children, husbands and wives, brothers and sisters, brothers-and sisters-in-law, mothers- and fathers-in-law, sons- and daughters-in-law, uncles, aunts, nieces, nephews, and step-relatives in the same relationships. Applicants and employees shall be required to disclose the above blood or marriage relationships with other employees at the same college on the KCTCS nepotism disclosure form. Disclosure of this information is the responsibility of applicants. In addition, disclosure of this information is the responsibility of employees in the event of a marriage or another pertinent change in family relationships. Failure to disclose relationships is grounds for possible discipline or dismissal, or for removal from consideration in the employment selection process.

If employees are currently employed as a supervisor or direct line subordinate of a relative by blood or marriage and have been so employed since prior to January 16, 1997, they may continue to work provided they comply with any relationship disclosure requests. The above-mentioned employees shall be ineligible for promotions which would establish or continue apparent violation of this nepotism policy (excluding faculty promotions in rank).

In addition, provisions regarding nepotism shall be adhered to in accordance with other KCTCS policies and human resources procedures related to nepotism and employment selection.
3.3.3 Immigration Law Compliance

All offers of employment are contingent on verification of an individual’s eligibility to work in the United States in accordance with the Immigration Reform Control Act (IRCA). If at any time an individual cannot verify his/her right to work in the United States, KCTCS may be obligated to terminate his/her employment.

The IRCA requires that all employees hired in the United States after November 6, 1986, complete an I-9 document establishing identity and employment eligibility. The I-9 document shall be completed on or prior to the employee's first day of work. After a separation of employment of one year or more, employees returning to employment shall be required to complete an I-9 document.

Designated officials at the college or in the KCTCS Human Resources System office shall be responsible for certifying I-9 documents.
3.3.3.1 Immigration Sponsorship

Foreign nationals are required to obtain a visa and status before they may enter the United States. A visa is stamped in the passport. Status is indicated on the I-94 card, which should be connected to the passport. Essentially, a visa grants permission to enter the country. However, a visa alone does not permit entry. Foreign nationals must also obtain status. Status is basically the classification given to a foreign national when he or she is admitted to the country. Status controls the specific purpose and duration of one’s stay.

3.3.3.1.1 Employment By KCTCS

All references to KCTCS below refer to the applicable, employer-college designated administration.

KCTCS will consider sponsoring existing employees, and prospective employees who have accepted KCTCS’s employment offer, for nonimmigrant and immigrant visa and status in accordance with the Immigration Nationality Act, the Immigration Reform and Control Act, 1986 (“IRCA”), Civil Rights Act of 1964 (“Title VII”), and any other applicable treaties, and federal and state laws.

Any nondiscriminatory qualifications are permissible as long as they are practical. Requirements shall not be used to discriminate in favor of or against a specific group or groups of prospective or current employees. Requirements that are not intended to discriminate but result in discrimination may not be enforced. However, qualifications or requirements that are reasonable, bona fide, and necessary are permissible.

As to visa and status sponsorship for prospective employees, KCTCS will consider such sponsorship upon receipt of the prospective employee’s request for such sponsorship. Such request by an Applicant shall be in writing; such request by the hiring official shall be submitted upon the acceptance of KCTCS’s job offer. Written Request Forms may be obtained from the college Human Resources Department. Completed applications must be returned to the college Human Resources Department.

KCTCS will consider providing support for its existing employee’s visa or status if the employee has demonstrated his or her ability to accomplish his or her tasks assigned by KCTCS for at least one year, obtained recommendations of KCTCS’s support for his or her visa or status from the college President and his or her direct supervisor at the time of request or upon performance review, and is approved by the college regarding such support.

A. Choice of Visa and Status

KCTCS will decide whether it will support its employees’ visa or status and which visa or status it will support. Sponsorship will be considered upon receipt of an employee’s
written request. New hires may submit such request along with their acceptance of a job offer.

The decision to provide sponsorship will be made upon a nondiscriminatory basis, such as employee evaluations, reasonable business necessities, and the feasibility of specific deadlines.

KCTCS may request any additional information or documentation needed solely for sponsorship.

KCTCS may change the start date of employment to enable verification of work authorization.

KCTCS’s sponsorship for any type of employment-based nonimmigrant or immigrant visa or status does not guarantee the employee of obtaining such status. KCTCS will not be responsible for any failure or delay in obtaining such status by the applicant, including but not limited to, denial by the relevant governmental agencies involved.

The employee must provide true and accurate information and documentation when applying for nonimmigrant and immigrant visas. KCTCS may refuse to file an application or petition on behalf of an employee if KCTCS becomes aware of inaccurate or false information or information that could lead to denial of visa. KCTCS may terminate employment or rescind an offer for employment, and shall notify the applicable authorities as required by law, if it finds or is notified by the authorities of misleading or intentionally inaccurate information provided by the employee for any application or petition for employment authorization.

**B. Choice of Law Firm**

KCTCS may choose to retain the attorney of its choice for the analysis, preparation, review, and filing of employment based nonimmigrant petitions and applications with any governmental agency as required, including but not limited to the Department of State, Department of Labor, and the USCIS.

When sponsoring an immigrant visa (green card) KCTCS may choose to retain its attorney of choice for the analysis, preparation, review, and filing of the Labor Certification Application, the I-140 Petition for Immigrant Worker, and the I-485 Application to Adjust Status or DS-230 Application, whichever is applicable.

KCTCS must keep control over cases even if employees have the ultimate choice to select a law firm. KCTCS retains control in order to avoid confusion of company’s information, purpose of employment, or the job and its description.

KCTCS reserves the right to select the law firms to retain when any conflict of interests situation arises between KCTCS and its employees.
C. Filing Fees and Legal Fees

KCTCS is required to pay all fees that immigration and labor regulations recognize as the employer’s responsibility. KCTCS is not required to pay and so does not pay any costs associated with application filed by the dependents of the non-immigrant applicant.

KCTCS requires that an employee who has achieved permanent residency and immigrant status through sponsorship by KCTCS sign a commitment to remain under employment with KCTCS for three years. If the employee does not stay for the prescribed period or does not give satisfactory job performance as reflected on the Performance Planning and Evaluation (PPE) Form, the employee must reimburse KCTCS for all fees paid on their behalf during the application for permanent residency process. The amount the employee will reimburse will equal the total costs incurred by KCTCS including: relocation expenses, employment placement fee, transportation costs, lodging costs, legal fees and costs associated with filing I-140 petition. KCTCS will not charge interest on amounts to be reimbursed by employee. A portion of the costs incurred will be forgiven each year (12 months), as follows:

- Year 1-30%
- Year 2-60%
- Year 3-100%

Upon a qualifying termination, Employee will execute an authorization for KCTCS to offset any amount employee must reimburse from his or her earned but unpaid wages or salary. KCTCS may, in its sole discretion, forgive any amount employee is required to reimburse in exchange for employee’s execution of a Release and Severance Agreement waiving or releasing any alleged claims made by employee. The forms of any authorization of Release and Severance Agreement shall be determined by KCTCS.
3.3.4 Employment of Minors

KCTCS normally employs only individuals eighteen years old and older in regular full-time positions. However, individuals under 18 years of age may be employed as part-time, temporary, or student employees. No one under 14 years old may be employed by KCTCS. KCTCS follows all laws regarding employment of minors applicable to the Kentucky Child Labor laws.
3.3.5  Intellectual Property

It is the policy of KCTCS to recognize and encourage the individual effort on the part of its faculty, staff, other employees, and students that leads to the creation of intellectual property. As such, it is the intent of KCTCS to protect the rights of the individual and of KCTCS to provide for reasonable and appropriate sharing of any proceeds in the event that these creations have commercial value.

3.3.5.1  Applicability

This policy applies to all persons employed by KCTCS either as full-time, part-time, or temporary employees, including those on sabbatical leave and on leave with pay; it also applies to students enrolled at one or more KCTCS colleges and to other persons using KCTCS facilities and resources. Contracts between KCTCS and independent contractors should define the respective rights and responsibilities of the parties with respect to ownership of any intellectual property developed as a result of the contract.

3.3.5.2  Ownership of Intellectual Property

Ownership rights to an intellectual property creation are determined by the following provisions unless an agreement provides otherwise.

- **Institutional Works.** Intellectual property rights in institutional works belong to KCTCS, unless an agreement provides otherwise. Institutional works are made in the course and scope of employment by faculty, staff, other employees, or any person with the use of KCTCS resources, unless the resources were available to the public without charge or the creator had paid the requisite fee to utilize the resources. Program curriculum is institutional work.

- **Scholarly Works.** Intellectual property rights in scholarly works belong to the KCTCS faculty, staff, or other employee who created the work, unless an agreement provides otherwise. Scholarly works are creations that reflect academic effort, creativity, and/or research; they include course syllabi, instructional materials such as textbooks and course materials, journal articles, research bulletins, lectures, monographs, plays, poems, literary works, works of art, computer software/programs, sound recordings, musical compositions, and similar creations.

- **Online Works.** Intellectual property rights in online works are equally shared between KCTCS and the KCTCS faculty, staff, or other employee who created the work, unless an agreement provides otherwise. Online works are materials developed for and used within the delivery of online courses.
• **Personal Works.** Intellectual property rights in personal works belong to the creator of the work, unless an agreement provides otherwise. A personal work is created by faculty, staff, or other employee outside his or her scope of employment and without the use of KCTCS resources other than resources that are available to the public or resources for which the creator has paid the requisite fee to utilize.

• **Student Works.** Intellectual property rights in student works belong to the student who created the work, unless an agreement provides otherwise. A work created by a student employee during the course and scope of employment is an institutional work, and intellectual property rights to such creation belong to KCTCS, unless an agreement provides otherwise.

3.3.5.3 Administrative Procedures

The overall responsibility for application of this policy is vested in the KCTCS President and is administered by the Intellectual Property Standing Committee, which oversees implementation of its procedures; this committee consists of KCTCS legal counsel and representation from KCTCS faculty, staff, and students. Any member of this committee ceases to be eligible for membership and ceases to serve this committee upon termination of his or her respective relationship with KCTCS. While members of this committee may consult with others as needed, the KCTCS General Counsel or designee acts as legal counsel to this committee.

3.3.5.4 Process of Disclosure

Whenever a KCTCS faculty, staff, other employee, or student operating under the scope of this policy creates intellectual property that could reasonably be expected to have commercial value, that person notifies the Intellectual Property Standing Committee, through the KCTCS General Counsel using the “Intellectual Property Commercialization Disclosure Form,” for the purposes of this committee evaluating the intellectual property ownership and commercial potential of the creation. The committee interviews the creator and other persons as needed to make this evaluation and provides the KCTCS President with its recommendation. For those creations with commercial potential in which KCTCS is determined to have an ownership interest, the KCTCS General Counsel works with all parties with an ownership interest to complete an agreement to provide for reasonable and appropriate sharing of any proceeds derived from commercialization of the creation.
3.3.5.5 Copyright

The Kentucky Community and Technical College System (KCTCS) requires that all college personnel and students adhere to the provisions of the United States Copyright Law (Title 17, United States Code). This law applies to anyone at KCTCS who wants to reproduce, alter, or perform works that are protected by copyright. Examples of these works include printed materials, sound recordings, video recordings, visual art, computer software, and multimedia.

The Chancellor or a designee(s) shall develop and distribute to students and employees guidelines that:

- clearly discourage violation of the copyright law, and
- inform students/employees of their rights and responsibilities under the copyright law.

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3.3.6 Kentucky Community and Technical College System
Environmental Health and Safety Policy

KCTCS Policy 3.3.6 establishes the necessary structure to ensure compliance with local, state, and federal environmental health and safety laws and regulations. KCTCS policy requires compliance throughout the system at all colleges and campuses. Procedures created by authority of this policy shall mandate compliance as well as promote a culture of environmental stewardship and social responsibility at KCTCS.

The responsible party shall be the Facilities Management, Division of Environmental Health and Safety.

3.3.6.1 Statement of Authority

The KCTCS President delegates to college presidents the requirement and authority to allocate resources, both monetary and human, to fulfill the programs implemented as part of this policy. The KCTCS Division of Environmental Health and Safety (DEHS) shall create, implement, and oversee the procedures and programs necessary to ensure compliance with all local, state, and federal laws and regulations applicable to the system.

3.3.6.2 Application of Policy

DEHS shall monitor the programs and procedures established under authority of this policy to maintain compliance with local, state, and federal mandates. College employees at all levels will work with DEHS to maintain compliance with the law and to ensure the environmental health and safety of their campuses, departments, and areas of responsibility. DEHS shall establish working groups within KCTCS to develop and enforce specific safety and health programs, to interface with regulatory agencies and to provide technical consultation to managers.

3.3.6.3 Division of Environmental Health and Safety (DEHS)

This policy establishes the KCTCS DEHS which shall provide technical, regulatory and management services to all colleges and campuses for any and all occupational and/or environmental health and safety issues. Each college shall designate an officer of environmental health and safety who will work with and receive support from the KCTCS DEHS.

The KCTCS DEHS shall develop, establish, and implement system-wide programs for environmental health and safety. The programs developed, established, and implemented shall include those programs required by local, state, and federal law as well as any discretionary programs necessary to ensure the environmental health and safety of employees, students, and visitors.
### 3.3.6.4 Promulgation of Procedures and Processes

KCTCS DEHS, in accordance with KCTCS policy, shall promulgate procedures and processes necessary to comply with local, state, and federal law. Procedures and processes may include the creation of a system-wide work group to address environmental health and safety issues. All colleges and the System Office shall be represented on the EHS Working Group.

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3.3.12 Sales and Solicitation

So that employees may perform their duties free from interruptions, KCTCS prohibits employees from making unauthorized sales to or solicitation of employees and the general public on KCTCS property. Unauthorized sales or solicitation may include, but is not limited to, collection of money, political campaigning, solicitation of subscriptions or the sales of merchandise, e.g., housewares, cosmetics, food, tickets and raffles.

Various approved charitable organizations may, from time to time, conduct on campus solicitations of contributions from employees. An approval determination shall be made by the college president/ceo, or for the system office location by the appropriate KCTCS President’s Cabinet member or designee. These approved charitable solicitations may be carried out by (1) use of the KCTCS mail service and (2) access to the payroll deduction system.

Except for an employee whose job responsibilities include sales duties, any solicitation by an employee for sales of any kind of merchandise, publications, or services, or solicitation of items such as subscriptions, is prohibited, except upon permission of the college president/ceo, or for system office employees the appropriate KCTCS President’s Cabinet member.

This policy does not prohibit the placement of brochures, pamphlets, or order forms in designated areas.

Notices and announcements that employees wish to send to all college employees, to all system office employees, and/or to large groups of employees shall be approved in advance through the college president/ceo or designee. System office employees shall obtain approval from the appropriate KCTCS President’s Cabinet member or designee.
3.3.13 KCTCS Substance Abuse

3.3.13.1 Drug Abuse

3.3.13.1.1 KCTCS Policy Regarding Drug Abuse

The KCTCS is committed to providing a healthy and safe workplace for its employees. Conduct which is a violation of this policy poses unacceptable risk and disregard for the health, safety, and welfare of co-workers, students, and the total KCTCS community.

The unlawful possession, use, dispensation, distribution, or manufacture of controlled substances by employees, while on KCTCS property and/or on KCTCS business, is prohibited.

Any employee who engages in the unlawful possession, use, dispensation, distribution, or manufacture of controlled substances, while on KCTCS property and/or KCTCS business, or who is convicted of a criminal drug statute violation which occurred in the workplace or while on KCTCS business is subject to disciplinary action, up to and including suspension or discharge.

3.3.13.1.2 Legal Use of Prescribed Medicines

The legal use of prescribed medicines under the direction of a licensed physician is permitted. Employees in selected positions, designated by KCTCS, are required to make such use known to an appropriate KCTCS representative, as described in college standard operating procedures. Employees using prescribed medicines should consult with a physician concerning the safe use of the drug during working hours.

3.3.13.1.3 Delegation

Authority for enforcement of this policy is vested with the KCTCS Chancellor/Vice Presidents.

3.3.13.1.4 Procedure

The KCTCS provides for its employees educational programs and general information on the following:

1. The dangers of drug use and abuse in the workplace;

2. KCTCS Drug Free Policy;
3. The availability of drug counseling, rehabilitation, and employee assistance programs; and

4. The penalties for violation of the KCTCS Drug Abuse Policy.

In the KCTCS colleges, whenever a supervisor witnesses the unlawful possession, use, dispensation, distribution, or manufacture of controlled substances by an employee, that supervisor shall notify the college president/Chief Executive Officer who shall (1) immediately notify the appropriate police authority, (2) suspend the employee pending further investigation, and (3) inform the college chief official for Human Resources.

The college president/Chief Executive Officer in conjunction with the employee's supervisor and the college chief personnel officer, shall conduct an investigation and, based on the factual information obtained from all parties, determine whether there has been a violation of this policy, and report the evidence to the KCTCS Vice President primarily responsible for Human Resources.

All discussions, investigations and basis for disciplinary or rehabilitative actions shall be strictly confidential.

If the evidence confirms that the staff employee has violated this policy, the KCTCS Vice President primarily responsible for Human Resources, in conjunction with the college president/Chief Executive Officer, shall determine the appropriate sanction to include the following:

1. Disciplinary action up to and including suspension or discharge; and/or

2. Referral to an employee assistance program and/or drug rehabilitative program.

Whenever a supervisor notices an employee with overt signs of mental or physical impairment thought secondary to substance abuse, or when job related behavior or work performance suggests substance abuse, the college president/Chief Executive Officer shall refer the employee to an appropriate local rehabilitation health service.

The decision to acknowledge substance abuse and accept therapeutic intervention rests with the employee, and participation in an employee assistance program or rehabilitation program is voluntary. However, refusal to participate in appropriate intervention program(s) shall result in disciplinary action, up to and including suspension or dismissal.

The college president/Chief Executive Officer with the college chief personnel officer shall monitor the progress of the employee and inform the supervisor of the employee's progress and anticipated safe return to the job.
If an employee with suspected substance abuse and/or poor work performance, thought secondary to that substance abuse, refuses employee assistance program referral and/or appropriate rehabilitation services, the college president/chief executive officer with the college chief personnel officer and the employee's supervisor shall institute the appropriate work performance evaluation and action.

In compliance with the Federal Drug-Free Workplace Act of 1988 (Section 5151), an employee shall abide by this Drug Abuse Policy, and notify the immediate supervisor if the employee is convicted of a criminal drug offense occurring in the work place or while on KCTCS business within (5) days after the conviction. The immediate supervisor shall immediately notify the college president/chief executive officer when an employee is involved.

If the employee is under federal contract or grant, the immediate supervisor shall notify the sector chief personnel officer who shall notify the Chancellor who in turn shall notify the appropriate federal contract/granting agency within ten (10) days after notification by the supervisor of the conviction.

Within thirty (30) days after an employee's conviction for a drug offense on KCTCS property and/or on KCTCS business, the KCTCS shall take appropriate sanctions and remedies in accordance with this policy, and Kentucky Community and Technical College System policies and procedures, up to and including suspension or dismissal, and/or satisfactory participation in an approved substance abuse assistance/rehabilitation program.

3.3.13.1.5 Student Employees

If evidence confirms that a student employee has violated this policy, the college president/chief executive officer with the college chief personnel officer, consistent with Kentucky Community and Technical College System policies and procedures, shall determine the appropriate sanction in accordance with the student employee's status as an at-will employee.

Nothing in this policy shall be construed to prohibit or interfere with whatever appropriate disciplinary action may be taken in accordance with the student employee's student status, as provided by the Code of Student Conduct.

3.3.13.1.6 Drug Free Workplace Notification

Set forth in Appendix I is a memorandum regarding Drug-Free Workplace Notification.
3.3.13.1.7 KCTCS Policy on Alcohol Abuse

KCTCS is committed to providing a healthy and safe workplace for its employees. The problem of alcohol abuse constitutes a growing national crisis; therefore, the KCTCS has this alcohol abuse policy.

Conduct which is a violation of this policy poses unacceptable risk and disregard for the health, safety, and welfare of co-workers, students, and the total KCTCS community.

Alcohol abuse, or being under the influence or the unauthorized use or consumption of alcohol on KCTCS property or while on KCTCS business, is prohibited and is subject to disciplinary action up to and including suspension or discharge.

Reporting to work under the influence of alcohol is prohibited and is subject to disciplinary action, up to and including suspension or discharge.

Authority for enforcement is vested with the KCTCS Chancellor/KCTCS Vice Presidents.

3.3.13.1.8 Procedure Regarding Alcohol Abuse

The KCTCS provides educational programs and general information on the danger of alcohol use and abuse in the workplace. The KCTCS trains its supervisors to recognize mental and physical signs of problem drinking.

In the KCTCS, the supervisor shall notify the college president/chief executive officer who shall (1) suspend the employee pending further investigation and (2) inform the college chief personnel officer.

The college president/chief executive officer in conjunction with the employee's supervisor and the college chief personnel officer shall conduct an investigation and, based on factual information obtained from all parties involved, determine whether there has been a violation of this policy.

All discussions, investigations and basis for disciplinary or rehabilitative actions shall be strictly confidential.

If the evidence confirms that the staff employee has violated this policy, the college president/chief executive officer, with the employee's supervisor and the college chief personnel officer, shall review the factual information to determine the appropriate action which includes as follows:
1. Disciplinary action up to and including suspension or discharge; and/or

2. Referral to an employee assistance program or rehabilitation program.

If evidence confirms that a student employee has violated this policy, the college president/chief executive officer, consistent with Kentucky Community and Technical College System policies and procedures, shall determine the appropriate sanction in accordance with the student employee's status as an at-will employee. Nothing in this policy shall be construed to prohibit or interfere with whatever appropriate disciplinary action may be taken in accordance with the student employee's student status, as provided by the Code of Student Conduct.

Whenever a supervisor notices an employee with overt signs of mental and physical impairment thought to be secondary to substance abuse, or when job related behavior or work performance suggests substance abuse, the employee shall be referred to the appropriate local rehabilitation health service by the college president/chief executive officer.

The decision to acknowledge problem drinking and accept therapeutic intervention rests with the employee, and participation in an employee assistance program or rehabilitative program is voluntary. However, refusal to participate in appropriate intervention program(s) shall result in disciplinary action, up to and including suspension or dismissal.

The college president/chief executive officer shall monitor the progress of the employee, and inform the employee's supervisor of the employee's progress and anticipated safe return to the job.

If an employee with problem drinking and/or poor work refuses or fails therapy, then the college president/chief executive officer, in conjunction with the employee's supervisor, shall institute an appropriate work performance evaluation and action.
3.3.13.2 KCTCS Alcohol Policy

The possession and/or consumption of alcoholic beverages on KCTCS property is subject to Kentucky statutes, county and city ordinances, and KCTCS regulations developed in keeping with this policy. All members of the KCTCS community are expected to obey these laws and regulations. KCTCS desires to promote responsible consumption according to all applicable laws and regulations. Additionally, KCTCS desires to provide an environment for students where alcohol is not made available, alcohol consumption is not encouraged, and further, alcohol education and counseling programs are promoted.

A. In order to promote operational efficiency and to provide administrative flexibility within KCTCS, the President delegates this function to the College President/CEO for his/her respective college.

B. Alcoholic beverage usage on KCTCS property shall be consistent with applicable state law and local ordinances governing individual colleges and/or regulations and procedures developed and approved by the College President/CEO in the implementation of this policy.

C. The possession and/or consumption of alcoholic beverages on KCTCS property is permitted only in those locations and circumstances as set forth in paragraph D and E.

D. Alcoholic beverages may be served and consumed at official KCTCS functions and non-KCTCS functions as approved by the College President/CEO consistent with College regulations and procedures enacted to implement this policy. Such regulations and procedures shall include and be consistent with the following provisions:

1. **Applicability:** The policy applies to all persons and entities using KCTCS owned or operated facilities.

2. **Sponsorship Requirements:** Every event at which alcoholic beverages will be served must have a designated sponsor approved by the College President/CEO. The sponsor may be either an individual of at least 21 years of age or an organization or association recognized by the college.

3. **The College as Sponsor:** No one may represent the college (or any of its subsidiary departments and offices) as the sponsor of an event at which alcoholic beverages are served without express written permission from the College President/CEO. Student organizations are prohibited from sponsoring such events.

4. **Permits:** The sponsor must obtain, or ensure that its caterer obtains, the applicable Alcoholic Beverage Control Board (ABC) permits required under Chapter 243 of the Kentucky Revised Statutes, and must submit a copy of all
required permits to the College President/CEO. All servers of alcoholic beverages must be 21 years of age or older.

5. Locations (multi-campus sites): Alcohol may be served only in those facilities or locations identified as appropriate by the College President/CEO. Examples include but are not limited to the following: convention centers, multi-purpose rooms, conference rooms, performing arts auditoriums and enclosed foyers. Designation of facilities is up to the discretion of the College President/CEO and may include outside areas.

6. Sale of Alcohol Prohibited: The sale of alcoholic beverages is prohibited at any event on campus except as permitted pursuant to a lawfully issued license in accordance with the provisions of Kentucky Revised Statute 243.033 (governing caterers) or Kentucky Revised Statutes 243.260 (governing special temporary licenses) and the regulations issued pursuant thereto.

7. Service of Alcohol to Minors Prohibited: Consumption of alcoholic beverages is limited to persons 21 years of age or older. No one under the age of 21 shall be served alcoholic beverages. Proof of age shall be required.

8. Food and Non-alcoholic Beverages Must be Made Available: Non-alcoholic beverages and food must also be provided at any event at which alcoholic beverages are served.

9. Attendance Limited to Invited Guests: Events at which alcoholic beverages are served will be closed to the general public. Only those persons specifically invited will be admitted.

10. Event Advertising and Promotion: Promotions and advertisements for events shall not indicate that alcohol will be served or consumed.

11. Alcohol Must Remain in Designated Space: The possession or consumption of alcoholic beverages is permitted in designated event areas only.

12. Intoxicated Persons May Not be Served: Visibly intoxicated and/or disorderly persons shall not be served or permitted to consume alcoholic beverages.

13. Time of Service Limited: The serving of alcoholic beverages at all approved events will be limited to a total of not more than five hours with termination of service of alcoholic beverages at least one hour prior to the end of the event.

14. Additional Precautions May be Required: The College reserves the right to require additional precautions such as the use of trained persons to dispense alcoholic beverages in instances where alcohol is being provided pursuant to a special temporary license issued for a non-profit, charitable event, stricter
limitations on times of service, or the use of security to assist in ensuring compliance with this policy.

15. **Involvement of Facilities Coordinator:** Persons or organizations wishing to use KCTCS facilities covered under this policy should contact the facility coordinator for additional instructions or information prior to submitting to the College President/CEO a “Request for Approval to Serve Alcoholic Beverages”.

16. **Payment:** Payment for alcoholic beverages shall only be made as set forth in Section F of this policy.

17. **Violation of Policy:** Any person or organization found in violation of this policy may be barred by KCTCS from the sponsorship of further events. KCTCS may, at its sole discretion, terminate the service of alcohol at any event on KCTCS owned or operated property. Furthermore, KCTCS may, at its sole discretion, terminate the service of alcohol at KCTCS events held at other locations.

18. **Approval Process:** Any person or organization wishing to sponsor an event under the provisions of this Policy must complete a “Request for Approval to Serve Alcoholic Beverages” form. Any sponsor from outside or within KCTCS is required to make all arrangements under this Policy. The sponsor must obtain written approval from the College President/CEO.

**E. Alcohol Use in Programs of Study**

1. Subject to approval by the College President/CEO, the use of alcohol is permitted for educational purposes that encompass Culinary Arts events and other related functions that have educational purposes.

2. All alcoholic beverages kept on College property shall be stored in a secure location.

3. Alcoholic beverages may be made available for consumption in certain classes under appropriate supervision. Class participants will be asked to present proof that they are of legal Kentucky drinking age and will be held responsible for limiting their consumption of alcohol to safe amounts.

**F. Funds for Purchase of Alcoholic Beverages**

1. Alcohol for instructional use in programs of study may be purchased with institutional funds. In such instances an employee may be required to make the purchase and seek reimbursement or to make arrangements for the invoice to be direct billed to the College. KCTCS Purchasing is to be consulted prior to the purchase for the most efficient purchase method.
2. Alcoholic beverages for any other use than instructional use in programs of study must be purchased with non-KCTCS funds.
3.3.14 KCTCS Tobacco Free Policy

This Policy supersedes KCTCS Administrative Policy 3.3.14 KCTCS Smoking Policy and all other College policies enacted to address Tobacco Product use.

The Kentucky Community and Technical College System (KCTCS) is committed to providing and maintaining a safe and healthy environment for its students, employees and visitors. In view of this commitment, KCTCS is a tobacco-free institution. This means Tobacco Products use (including e-cigarettes) will be prohibited System-wide at all 16 colleges and all campuses including the System Office.

Definitions:

“Tobacco Products” means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), electronic cigarettes/vaping, bidis, clove cigarettes and smokeless tobacco products (snuff, chewing tobacco, and dipping tobacco). Tobacco does not include nicotine replacement therapies such as patches, gum or prescription medication intended to assist an individual in quitting the use of Tobacco Products.

“Members of KCTCS” include its faculty, staff, students, volunteers, vendors, patrons, customers, guests, visitors, and persons employed as a KCTCS contractors.

“Property” includes buildings and structures, grounds, parking structures, enclosed bridges and walkways, sidewalks, parking lots, and vehicles owned, rented or leased by KCTCS.

This Policy applies to all Members of KCTCS.

The use of all Tobacco Products is prohibited on all Property that is owned, operated, leased, occupied, or controlled by KCTCS.

Enforcement of this policy will not extend to the use of Tobacco Products in private vehicles located on KCTCS Property provided users make a reasonable effort to contain Tobacco Products and smoke inside the vehicle (e.g., keeping windows, doors and roofs closed).

Tobacco Products use may be permitted for controlled research with prior approval of the president, responsible for the college or campus.

Tobacco Products use may be permitted for educational, clinical, or religious ceremonial purposes with prior approval of the president, responsible for the college or campus.

Tobacco Products use may be permitted on properties that KCTCS owns, but leases or otherwise conveys an interest (e.g. an easement) to a non-KCTCS party, according to the provisions of the applicable lease or agreement.
This Tobacco-Free Policy relies on the thoughtfulness, consideration, and cooperation of Tobacco Product users and non-Tobacco Product users for its success. It is the responsibility of all Members of KCTCS, as well as visitors to KCTCS to inform and observe this policy.

Authority for enforcement of this policy is vested with KCTCS President and each college President, in conjunction with the System Director for Human Resources, the college Director of Human Resources and the Dean of Students at each college.

Violation of this policy may result in corrective action under the Student Code of Conduct, or KCTCS Progressive Discipline Human Resource procedure as applicable. Visitors and others refusing to comply may be asked to leave the campus/property.

3.3.15 KCTCS Campus Speech Policy

3.3.15.1 Use of College Property by Non-Affiliated Persons for Free Expression Activities

KCTCS is committed to addressing free expression activities in a way that is neutral toward content and viewpoint. Therefore, the purpose of this policy is to provide a uniform basis on which the Kentucky Community and Technical College System will handle the use of KCTCS property by non-affiliated persons for free expression activities through content and viewpoint-neutral guidelines consistent with and in furtherance of KCTCS’s mission of providing education for college and workforce readiness, transfer education and workforce education and training. This policy replaces and supersedes all previous policies, procedures, guidelines, directives and rules concerning free expression activities by non-affiliated persons on KCTCS property.

I. Definitions

The following terms are defined for purposes of this policy:

A. The term “free expression activities” means expression and/or assemblies generally protected by the First Amendment, including but not limited to distributing printed materials, public speaking, demonstrations, rallies, vigils, parades and marches.

B. The term “traditional public forum” means property that by tradition or by government fiat is open to assembly and debate by members of the general public, such as city streets, sidewalks and parks.

C. The term “limited public forum” means property that has not traditionally been regarded as open to free expression activities but which has been intentionally opened by KCTCS for the purpose of free expression activities in a way that is
consistent with KCTCS’s educational mission and subject to content and viewpoint-neutral time, place and manner restrictions.

D. The term “non-affiliated person” means any person or entity who is not a KCTCS unit, student, student organization, faculty member, staff member or volunteer.

E. The term “printed materials” means publications, handbills, posters, leaflets, petitions, fliers and all other types of written matter.

F. The term “student organization” means a student organization registered with KCTCS in accordance with KCTCS rules for student organizations.

G. The term “KCTCS” means the colleges, campuses and other units of KCTCS, and all their constituent parts, and the KCTCS administration.

H. The term “KCTCS unit” means any academic, administrative or auxiliary department, college or division of KCTCS, or any other official entity of KCTCS, functioning through KCTCS employees acting within the scope of their employment.

I. The term “KCTCS property” means all land, grounds, structures and any other physical property owned, controlled or operated by KCTCS.

II. General rules for use of KCTCS buildings, offices and classrooms

A. Some KCTCS buildings and classrooms may be limited public forums and therefore KCTCS may restrict or prohibit access to those areas on a content and viewpoint-neutral basis.

B. In general, KCTCS buildings, offices and classrooms can only be used by KCTCS faculty, students and staff for those facilities’ designated purposes, except as stated in this policy (e.g., when facilities made available for use by non-affiliated persons or groups are rented by such persons or groups pursuant to KCTCS Policy 3.3.16).

C. Non-affiliated persons or groups may apply to use space in KCTCS buildings or classrooms pursuant to KCTCS Policy 3.3.16 (Policy and Procedural Guidelines for the Management and Use of Facilities) and the terms of any agreement entered into for purposes of that use.

D. Non-affiliated persons may use KCTCS libraries, but use of KCTCS libraries is limited to study, instruction and research and further is subject to rules established by KCTCS for conduct within the libraries.
III. General rules for open outdoor areas on KCTCS property

A. Except for traditional public forums such as city sidewalks, open outdoor areas on KCTCS property are limited public forums subject to content and viewpoint-neutral time, place and manner restrictions regarding their use.

B. Open outdoor areas on KCTCS property generally are available for free expression activities by non-affiliated persons, regardless of whether planned or spontaneous, and subject to the rules and guidelines set out in this policy.

C. KCTCS units, faculty, students, staff and student organizations have priority over non-affiliated persons in the use of open outdoor areas on KCTCS property. Thus, an open outdoor area on KCTCS property that is a limited public forum is not available for use by non-affiliated persons if that area has been reserved by KCTCS units, faculty, students, staff or student organizations.

D. Use of open outdoor areas by non-affiliated persons is also subject to KCTCS projects and maintenance activities such as construction, planting, seeding and general upkeep.

E. Non-affiliated persons using KCTCS property for free expression activities must not:

1. block or substantially impede vehicular, bicycle, pedestrian or other traffic;

2. block or substantially impede entrances or exits to KCTCS property;

3. substantially disrupt or interfere with KCTCS operations, events or activities;

4. substantially disrupt or interfere with the ability of a student to study in a KCTCS library or other designated study space;

5. substantially disrupt or interfere with classes in session or other academic, educational, cultural programs, arts programs or ceremonies;

6. violate a federal, state, or local law, rule, regulation or ordinance; or

7. engage in speech that is obscene, defamatory, consists of fighting words, communicates an objectively serious expression of intent to commit an act of unlawful violence to a particular individual or group, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
F. In the interest of safety, overnight camping is not permitted on KCTCS property.

G. The use of electronic sound amplification by non-affiliated persons in open outdoor areas on KCTCS property is prohibited.

H. With regard to the use of printed materials by non-affiliated persons:
   1. Non-affiliated persons must refrain from littering and may be held responsible for costs incurred as a result of littering.
   2. Non-affiliated persons must not place any signs, banners, posters or other displays on or against, attach them to, or write on any building or feature of KCTCS property, including but not limited to doors, windows, walls, walkway surfaces, fountains, utility poles, lamp posts, waste containers, trees, street signs, benches and railings. Signs, posters and other displays also must not damage KCTCS property or exceed 24 inches by 36 inches in size.
   3. Tables and other temporary means of displaying and distributing information are permitted but must be removed when finished.

IV. Failure to comply with the rules and guidelines set out in this policy may result in a warning, a request to relocate or directive to vacate KCTCS property from the college president/CEO, KCTCS President, or KCTCS Vice President responsible for facilities management.

3.3.15.2 Invited Speakers

In the historical role of a democratic institution of higher learning devoted to the search for truth, KCTCS is dedicated to maintaining on its campuses a spirit of free intellectual inquiry and an open exchange of ideas. It promotes vigorous, uninhibited debate and discussion, as well as critical and objective evaluation of divergent points of view.

KCTCS expects that various speakers who come to the campus will represent different shades of opinion, and that some will express controversial and unpopular views. It is essential to free inquiry and the ultimate discovery of truth that all ideas be freely expressed and freely subjected to critical analysis in the college setting. To this end, KCTCS has reexamined, reaffirms and makes explicit its traditions in this area.

KCTCS encourages its administration, faculty, and students to invite outside speakers to its campus. The appearance of such speakers does not imply approval or disapproval of
them or of their views. They are brought to the campus because it is believed that their discussions will further the educational goals of the KCTCS.

Each KCTCS college and the System Office will act responsibly in inviting speakers and guests who are also expected to act responsibly. This policy requires that no law or governing regulation of the KCTCS be violated by the speech or program. KCTCS also requires that meetings on its campuses, at which off-campus speakers appear, be peaceful and orderly, and in no way interfere with the proper functioning of a KCTCS college or the System Office. Further, the KCTCS through the Office of the KCTCS Chancellor may prescribe conditions for the conduct of programs at which off-campus speakers appear. These conditions may include requiring a college official or a senior faculty member to chair the program, requiring opportunity for comments and questions from the floor, or such other practices as may be necessary to preserve order and to insure an atmosphere of open exchange of ideas. In addition, a college president/chief executive officer or the KCTCS Chancellor may take appropriate action to insure that the community is provided with a balanced exposure to divergent opinions on controversial issues.

The protection of student freedom of discussion on KCTCS college campuses is a necessary facet of the preservation of the spirit of free inquiry to which KCTCS is dedicated. Faculty members must bear the major responsibility for carrying out the mission of disseminating knowledge. The conduct of this mission requires an atmosphere of freedom to examine and discuss all ideas, including the novel and sometimes unpopular. KCTCS expects the examination and discussion of ideas to be conducted in a fashion appropriate to the educational function and dignity of KCTCS in accordance with its policies. Subject to this expectation and their own exercise of responsibility and discretion, faculty members, administrators, and registered student organizations are free to bring speakers to KCTCS college campuses, providing that proper arrangements for the use of the college facilities have been made.
3.3.16 Kentucky Community and Technical College System Policy and Procedural Guidelines for the Management and Use of Facilities

For the purpose of management and use of facilities at the various KCTCS colleges, the following policy guidelines are set forth.

I. Definitions

For the purpose of this Policy Statement the following terms are defined:

A. Facilities - Buildings and grounds owned by the Commonwealth of Kentucky and assigned to the various colleges within the Kentucky Community and Technical College System.

B. College Units and Groups - Budgeted units within the Kentucky Community and Technical College System, recognized student organizations, and college affiliated organizations.

C. Non-College Groups - Those groups that are neither included in Section 1.B nor co-sponsored by a college’s community service program.

II. Policy Guidelines for the Management of Facilities in the Kentucky Community and Technical College System

A. The responsibility for management and allocation of space within the Kentucky Community and Technical College System will be in the Office of the KCTCS President with the advice and input of the KCTCS Chancellor.

B. In order to promote operational efficiency and to provide administrative flexibility within the Kentucky Community and Technical College System, the KCTCS President, except as noted in Section II.K, hereby delegates this function to the college president/chief executive officer.

C. The System’s facilities shall be used only for educational, cultural, or charitable purposes, or other purposes as determined by the President for the Kentucky Community and Technical College System in accordance with the KCTCS Board of Regents and the Rules of the KCTCS Senate.

D. College facilities shall not be used to further the interests of a political party or be used to advance or inhibit religion.

E. Non-college groups or agencies may apply for the use of college facilities when the program to be presented is of an educational, cultural, or charitable nature,
F. College facilities shall be made available to college units and groups and non-college groups only after it has been determined that the facility has not been scheduled and is not otherwise expected to be used for academic functions.

G. Non-college groups which charge a registration or admission fee for the program and those groups which are not cosponsored by the college as part of the college’s community service program, with the exception of cases covered in Sections II.H and II.I, shall be charged a fee for the use of the facility sufficient to cover all costs involved. Auxiliary enterprise operations shall be charged a fee for space occupied.

H. There shall be no charge to the State’s universities for the use of college facilities provided these are used for educational purposes during normal operation times. A fee shall be charged for the use of facilities outside of the normal operational periods established by the college and for other than educational purposes.

I. There shall be no charge to non-college groups or agencies presenting charitable programs during normal operational periods where the sole sponsors and promoters are Kentucky groups or agencies and the total net proceeds are given to Kentucky charities.

J. When college facilities are used by a non-college group, a memorandum of agreement between the group and the college shall be negotiated in advance stating the conditions and charge for the use of the facility and setting forth the responsibilities of the group and the college.

K. A memorandum of agreement normally shall not exceed one semester or an equivalent time period. The President of KCTCS must approve an agreement for a longer period of time.

L. Except as noted in Section II.K, the local college president/chief executive officer is hereby delegated the responsibility of entering into a memorandum of agreement with a non-college group for the use of a college’s facility.

M. The use of a college’s name by a non-college group in a manner which is inconsistent with the role of the colleges is prohibited.

N. Each college shall designate one or more unrestricted areas to be available to college units or groups for the purpose of conducting any lawful demonstration, meeting, or assembly without having to reserve such areas in advance.
O. Solicitations by any college unit or group, or any non-college group, for subscriptions, sales of merchandise of any kind whatsoever, publications, or services upon college property (other than by the authorized stores, eating places, or vending operations of a college) are prohibited except upon written permission of the college president/chief executive officer.

III. Procedural Guidelines for the Management and Use of Facilities in the Kentucky Community and Technical College System

A. All requests for the use of facilities by college units and groups and non-college groups shall be forwarded to the local college president/chief executive officer or the president’s/chief executive officer’s designee.

B. All requests shall be in writing and received by the local college president/chief executive officer or the president’s/chief executive officer’s designee at least 48 hours prior to the scheduled event.

C. All applications from college units and groups and non-college groups will be considered in order of receipt. Scheduled academic activities and community service functions shall have priority for the use of a college facility.

D. The best interest of the college may make it necessary occasionally to cancel an event. When such a cancellation becomes necessary, the unit or group holding the reservation shall be given notice as far in advance as possible.

E. A memorandum of agreement for use of a facility by a non-college group will be signed by the president/chief executive officer of the college entering into the agreement and a representative of the non-college group using the facility.

F. Charges for the use of facilities by non-college groups shall be developed individually by each college and shall be sufficient to cover all costs involved.

G. Any organization or group using a college facility shall take proper care of the facility and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.
H. Funds collected from the non-college groups for the use of facilities shall be deposited in an appropriate college general fund income account.
3.3.17 Kentucky Community and Technical College System Emergency Response/Crisis Management Policy

3.3.17.1 Purpose

It is the purpose of this policy to establish the criteria for Emergency Response and Crisis Management Plans that are to be maintained by all KCTCS Colleges and the System Office. The National Safety Council recommends that all facilities have a written response plan, including procedures for emergencies that are most likely to occur at the facility. OSHA standards require a planned response for every facility. Homeland Security Presidential Directive 5 requires State Agency implementation of the National Incident Management System (NIMS). The KCTCS Board of Regents has adopted the NIMS and authorized the KCTCS President to implement it through development of a Crisis Management Plan which is applicable and consistent across the System.

For the purpose of this policy, a crisis is defined as any unplanned event that can cause deaths or significant harm to employees, students, or the public or that can shut down business, disrupt operations, cause physical or environmental damage, or threaten the institution’s financial standing or public image. The crisis may take the form of an emergency requiring immediate action to save lives and protect property.

OSHA standards require the following:

- Facilities must have an Emergency Response Plan that addresses the actions employees must take to assure their collective safety during an emergency.
- The Emergency Response Plan must include information on applicable emergency procedures for general evacuation, fire reporting, medical emergencies, bomb threats, tornado safety, notification procedure for deaths, hazardous material releases, earthquakes or structural failure, armed robbery, and media-related events.
- All employees (including employees who are new to a facility) must be trained to respond to various emergencies that may occur. Employees must be notified whenever there are major changes to the procedures.

3.3.17.2 Emergency Response and Crisis Management Team

The System Office, each College, and each campus shall have an Emergency Response and Crisis Management Team in place, appointed by the KCTCS President, the College President, or Campus Director as appropriate for each location. The System Office team shall include, at a minimum, the KCTCS President, Legal Counsel, Chancellor, Vice Presidents, Director of Employee Relations, System Director of Facilities Management, Director of Safety, the Chief Information Officer, and any others that may be deemed appropriate. The College team shall include, at a minimum, the College President, the Chief Business Officer, the Chief Student Affairs Officer, a representative of Human
Resources, the Safety Officer, and the Public Information Officer. The team for each extended Campus location will be determined by the Campus Director in consultation with the College President. Each team shall name one member as Coordinator and one as Assistant Coordinator. A subgroup of each team will be identified to meet quarterly to assess any need for updates or revisions to the plan.

3.3.17.2.1 Responsibilities of the Emergency Response and Crisis Management Team

- Develop the Emergency Response and Crisis Management Plan for each location, including coordination with local emergency response agencies.
- The Plan will address recovery and restoration resources and options in the event of a major loss.
- Designated team members shall receive NIMS and Community Emergency Response Team (CERT) training as recommended by the Federal Department of Homeland Security.
- Carry out training and drills as required.
- Respond to any emergency and initiate appropriate immediate response.
- Inform and consult with System Office administration during crisis response and recovery efforts.
- Review and approve crisis related information in conjunction with the System Office of Marketing and Public Relations to be communicated on- and off-campus, to all appropriate constituencies: students, parents, faculty, staff, and media.
- Coordinate crisis response and recovery efforts.
- Supervise cooperative crisis response and recovery efforts with appropriate outside agencies.
- Conduct a post-crisis evaluation of the College's performance during crisis response and recovery efforts and recommend changes to the College’s crisis management procedures.
- Review the College crisis plan during each academic year in order to reduce the College's vulnerability in a crisis.

3.3.17.3 Emergency Response and Crisis Management Plan

Components of an Emergency Response and Crisis Management Plan are based on identified potential emergencies which may be expected to occur at a particular campus, based on the findings of a Hazard Assessment or Risk Evaluation. The Crisis Management Team at each Campus shall develop a written Emergency Response and Crisis Management Plan based upon an annual risk assessment evaluation. The Emergency Response and Crisis Management Plan will include the following:
- **Risk Assessment and Evaluation**
  A plan of action for each Risk determined to be a possibility, including at a minimum, the response to each of the following; general evacuation, fire, bomb threats, severe weather, including the threat of tornados, medical emergencies including pandemic flu outbreak, hazardous materials, violent or threatening behavior (see related KCTCS Workplace Violence Policy).
- A training program, including scheduled drills.
- A crisis communications plan.
- Names, titles, phone numbers, addresses and e-mail addresses of Crisis Management Team members, trained first aid providers on campus, and local emergency service providers, including fire, local police, State police, ambulance, and Division of Environmental & Emergency Management.
- A Recovery and Restoration Plan outlining resources and strategies available to aid recovery efforts from major events regarded as possibilities during risk assessment.
- A readily accessible and quickly referenced "flip chart" of Emergency procedures for distribution to faculty, staff and students.

The Emergency Response and Crisis Management Plan for each College or Campus may be an adaptation of the "Crisis Management Planning Guide" developed by a workgroup of System Office and college personnel or may be developed independently but be consistent with this policy and the Planning Guide. College plans shall be reviewed and certified by the System Office team.

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Recommended by

Date

President, KCTCS

Date
3.3.18 KCTCS Fund-Raising Policy

While KCTCS encourages employees’ fund-raising on its behalf, proper coordination and approval is necessary to avoid conflicts and confusion.

Therefore, all fund-raising activities conducted on behalf of or in the name of the KCTCS colleges as a whole, or any individual KCTCS college, by any employee shall be coordinated together with the office of the president/chief executive officer of the applicable college or the Chancellor. Grants or gifts may not be accepted on behalf of the applicable college or the Chancellor, as applicable, without the approval of the college president/ceo or the Chancellor.

It is unlawful for anyone to appropriate for their use or the use of another the name, logo, seal, emblem, or any other trademarks or service marks of a KCTCS college or of the KCTCS without the written permission of the president/ceo of the applicable college or of the Chancellor, as applicable.

3.3.19 Outside Activities– KCTCS

Employees are required to conduct their activities on behalf of KCTCS with the utmost good faith and loyalty. Employees may not compete with the college at which they work or with KCTCS, or convert business opportunities of the college at which they work or of KCTCS to their personal gain or advantage, or the gain or advantage of another. Employees may not convert confidential information or trade secrets of the college at which they work or of KCTCS to their personal gain or advantage, or the gain or advantage of others.

3.3.20 KCTCS Travel Policy

Official travel in Kentucky, and within the other forty-nine states and the District of Columbia, and travel to foreign countries is governed by Kentucky Revised Statutes, Chapters 42, 44, and 45. These regulations apply to all travel of KCTCS and affiliated corporations. Special rules and regulations apply to out-of-country travel charged to non-state funds. (See KCTCS Business Procedures Manual.)

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Recommended by Date

President, KCTCS Date
3.3.21 KCTCS E-Mail Policy

Electronic mail or "e-mail" is considered an official method for communication at KCTCS because it delivers information in a convenient, timely, cost effective, and environmentally aware manner. KCTCS takes reasonable security precautions to ensure the privacy of this correspondence, both when it is in transit between electronic mailboxes and when it is stored in an individual’s electronic mailbox. All members of the KCTCS community should be advised, however, that electronic media are not entirely private, and confidential information should be sent by other means.

3.3.21.1 Purpose

This policy ensures that students, faculty, staff, and administrators have access to this important form of communication. It ensures KCTCS groups can be reached through a standardized channel by faculty and other staff of KCTCS colleges as needed.

Specifically, the purpose of this policy is to:

- Establish policy on privacy, confidentiality, and security in electronic communications;
- Ensure that KCTCS electronic communications resources are used for purposes appropriate to the KCTCS mission;
- Inform the KCTCS community about the applicability of laws and KCTCS policies to electronic communications;
- Ensure that electronic communications resources are used in compliance with those laws and KCTCS policies; and
- Prevent disruptions to and misuse of KCTCS electronic communications resources, services, and activities.

3.3.21.2 Contacts

Questions or comments about this policy should be directed to the KCTCS Chief Information Officer or designee.

3.3.21.3 Definitions

A. Forwarded e-mail  
   E-Mail sent to an address that is automatically sent via computer code to another e-mail account.

B. Official e-mail account  
   An e-mail account, issued by KCTCS, which is based on a person’s name and ends in the domain name "KCTCS.edu".
C. Emergency or necessity

Circumstances under which notification of the college or KCTCS community will reduce the risk of personal harm, property damage, or severe negative impact on KCTCS operations.

Mailings sent to all or most of a broad constituency such as students, faculty, or staff. Examples of such mailings would be those containing news and announcements collected and sent on a regular basis, in lieu of distinct separate mailings; notification from the Office of the Registrar of the availability of final grade information sent to all students; reminders concerning financial aid deadlines sent to relevant student populations by the Office of Student Financial Aid.

D. Large routine, periodic, targeted mailings

Mailings sent to all or most of a broad constituency such as students, faculty, or staff. Examples of such mailings would be those containing news and announcements collected and sent on a regular basis, in lieu of distinct separate mailings; notification from the Office of the Registrar of the availability of final grade information sent to all students; reminders concerning financial aid deadlines sent to relevant student populations by the Office of Student Financial Aid.

E. Commercial mailings

Mailings promoting the products or services of an entity not directly affiliated with KCTCS.

F. KCTCS Community

All KCTCS administrators, faculty, staff, and students from all KCTCS colleges and System Office.

G. College Community

A KCTCS college group of administrators, faculty, staff, and students.

3.3.21.4 E-Mail Provisions That Apply to the Entire KCTCS Community

3.3.21.4.1 Responsibilities

- KCTCS students and employees have an obligation to use their access to the Internet and e-mail in a responsible and informed way, conforming to network etiquette, customs, courtesies, and any or all applicable laws or regulation.

- As with other forms of publications, copyright restrictions/regulations shall be observed.

- KCTCS students and employees shall be aware that their conduct or information they publish could reflect on the reputation of KCTCS. Therefore, professionalism in all communications is of the utmost importance.

- KCTCS students and employees shall represent themselves and KCTCS accurately and honestly through electronic information or service content.

- E-Mail should be used for “appropriate business use” only. Those who choose to use e-mail to transmit highly sensitive or confidential information should be aware of the potential risks of sending unsecured transmissions. E-Mails of this nature should, at a minimum, contain a confidentiality statement.
3.3.21.4.2 Unacceptable Uses

Since e-mail provides for peer-to-peer communications between participants, it also has great potential for misuse.

Use of KCTCS e-mail resources is a privilege that may be revoked at any time for inappropriate conduct. Any abuse of acceptable use policies is considered gross misconduct and may result in revocation of access, notification of KCTCS management, and disciplinary action up to and including dismissal. Examples of inappropriate conduct include, but are not limited to:

- Accessing another individual’s personal e-mail or files without their specific permission is considered gross misconduct. No one has authority to read another person’s e-mail unless explicitly given authority to do so by the owner of that e-mail.

- Using e-mail for personal gain or personal business activities in a commercial connotation such as buying or selling of commodities or services with a profit motive.

- Using e-mail for any illegal purposes, including initiating or receiving communications that violate any laws and regulations, including KRS 434.840-434.860 (Unlawful Access to a Computer) and KRS 512.020 (Criminal Damage to Property Law). This includes malicious use, spreading of viruses, and hacking. Hacking means gaining or attempting to gain the unauthorized access to any computers, computer networks, databases, data or electronically stored information.

- Using e-mail for transmitting statements, language, images or other materials that are reasonably likely to be perceived as offensive or disparaging of others based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.

- Using abusive or objectionable language in either public or private messages.

- Using e-mail for disseminating, soliciting or storing sexually oriented messages or images.

- Misrepresenting, obscuring, suppressing, or replacing a user’s identity in e-mail. This includes the use of false or misleading subject headers and presentation of information in the distribution of e-mail.

- Using e-mail for sending or forwarding chain letters.

- Distributing or forwarding unsolicited commercial e-mail.

- Using e-mail for soliciting money for religious or political causes, or advocating religious or political opinions.

- Using e-mail to distribute personal information to include any information that constitutes an unwarranted invasion of personal privacy as defined in the Kentucky Open Records Act, KRS 61.870 or other state and Federal laws.
• Using e-mail for copying, disseminating or printing copyrighted materials (including articles, images, games, or other software) in violation of copyright laws.

• Using e-mail for other non-business related activities that will cause congestion, disruption of networks or systems including e-mail attachments.

Reference link:
Policy 4.2.5 Information and Information Technology Responsible Use Policy - http://publicsearch.kctcs.edu/policies/Pages/KCTCS.aspx#tab-4

3.3.21.5 Student E-Mail Policy

3.3.21.5.1 KCTCS Colleges Use of E-Mail

E-Mail is an official method for communication at KCTCS colleges. Students are responsible for the consequences of not reading, in a timely fashion, KCTCS college-related communications sent to their official KCTCS student e-mail account.

3.3.21.5.2 Application for Student E-Mail Accounts

Students will receive access to a KCTCS student e-mail account within 24 hours of initial enrollments. Students must access their account over the Web at https://webmail.kctcs.edu/. A student e-mail account created on the KCTCS Web is the official e-mail address to which KCTCS colleges will send e-mail communications. This official address will be recorded in the KCTCS colleges' electronic directories and records for that student. The official address will end in the domain name "kctcs.edu".

3.3.21.5.3 Expectations Regarding Student Use of E-Mail

Students are expected to check their official KCTCS e-mail on a frequent and consistent basis in order to remain informed of KCTCS college-related communications.

KCTCS offices cannot validate that a communication coming by e-mail is from a student unless it comes from a valid KCTCS address. If students make queries to KCTCS administrative offices or faculty from "nickname" e-mail accounts (Hotmail, AOL, etc.), they may be asked to resubmit their query using an official KCTCS account.

3.3.21.5.4 Faculty Expectations and Educational Uses of E-Mail

Faculty members may require e-mail for course content delivery, class discussion, and instructor conferencing and may specify course-related e-mail policies in their syllabi. Faculty may also require students to confirm their subscription to a KCTCS college-provided mailing list.
3.3.21.5.5 Appropriate Use of Student E-Mail

All use of e-mail will be consistent with other KCTCS policies and local, state, and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA).

3.3.21.5.6 Forwarding E-Mail

Students should not forward their KCTCS e-mail to another e-mail account. Having e-mail lost because of forwarding does not absolve a student from the responsibilities associated with communication sent to his or her official e-mail address. The KCTCS colleges are not responsible for the handling of e-mail by outside vendors or unofficial servers.

3.3.21.6 Responsibilities

1. This policy is issued by the President of KCTCS. The KCTCS Chief Information Officer is responsible for maintenance of this policy.
2. Office of Technology Solutions shall provide users of KCTCS electronic communications resources with instructional material based on this policy.
3. Colleges are responsible for creating guidelines on usage of this policy.
3.3.22 KCTCS Motor Vehicle Policy

3.3.22.1 Safe Vehicle Operation

Seat belts shall be worn at all times by driver and all passengers in accordance with state law.

Pre-trip and post-trip inspection of key vehicle safety features (tire-tread condition and inflation, brakes, lights) is very important. Do this each time before getting in a vehicle.

Driver Training - The Chief Business Officer or System Office Cabinet Member should ensure that each driver knows all rules about operations of KCTCS vehicles.

1. Vehicles are for official use only;
2. The driver must be alert at all times, especially when parking or backing;
3. The driver should be aware of the importance of pre-trip and post-trip inspections; and
4. All persons must follow legal requirements for driver and passengers to wear seat belts at all times.

3.3.22.2 Persons Authorized to Use Vehicles

The following guidelines shall apply in consideration of the assignment of the drivers of a KCTCS or Department of Transportation (DOT) vehicle. The CBO or System Office Cabinet Members are responsible for ascertaining these guidelines:

1. Must be a current KCTCS employee;
2. Must possess a valid operator's license;
3. Complete defensive driving assessments, if required by the college president or KCTCS President or their designee.

Institutions may impose additional requirements for approving drivers of KCTCS vehicles as they desire. When properly authorized and licensed, the driver is then acting as an agent of KCTCS while driving on KCTCS business and will be covered by the KCTCS Motor Vehicle Insurance Policy.
3.3.22.3 Occupancy

The number of passengers transported in any vehicle must comply with and not exceed the manufacturer's specifications and the guidelines established by the National Safety Council.

3.3.22.4 Out-of-State Travel

All qualified drivers as determined and approved under guidelines above are permitted to drive out-of-state.

3.3.22.5 Vehicle Problems or Repairs

If a problem or accident occurs while operating a Department of Transportation (DOT) leased vehicle, please call (502) 564-4649 during business hours (7:30 a.m. – 4:00 p.m. Eastern) and Roadside Assistance after working hours at 1-800-241-3673. If the vehicle is inoperable, DOT will be responsible for the vehicle and any subsequent repairs. Repair work for these vehicles can be approved by DOT, up to $1,000.

It a problem or accident occurs while operating a KCTCS-owned vehicle, please contact the CBO. If it is a System Office vehicle, call the Office of Facilities Management during business hours (8:00 a.m. – 4:30 p.m. Eastern) at (859) 256-3234. If the problem or accident occurs during non-business hours, please call Toyota Roadside Assistance at (800) 444-4195 or the Kentucky SAFE Patrol at (877) 367-5982.

3.3.22.6 Vehicle Accidents

An operator whose vehicle is involved in an accident, regardless of whether or not the operator was in the vehicle at the time of the accident, must immediately contact a law enforcement agency, obtain an accident report, and submit a copy of the report to the Office of Facilities Management, Property Management Division within five (5) working days.

3.3.22.7 Vehicle Credit Cards

Credit cards are issued for KCTCS vehicles for gasoline and oil purchases.
3.3.22.8 Use of Electronic Handheld Communication Device in Vehicles

The use of any electronic handheld communication device by an employee while driving a KCTCS vehicle is prohibited, unless the employee is using a headset or hands-free speakerphone or the employee moves the vehicle to a non-traffic portion of the road. If the employee is driving a personal vehicle, the use of a headset or hands-free speakerphone is required while using a KCTCS issued electronic handheld communication device; otherwise, the employee must move the vehicle to a non-traffic portion of the road. See Business Procedure 1.19.3 D.
3.3.23 Policy on Deadly Weapons

I. Purpose

In Kentucky Revised Statute (KRS) 237.115, the Kentucky General Assembly has explicitly recognized the authority of colleges and universities to regulate the possession of deadly weapons on any property owned or controlled by them, including the right to prohibit possession of such weapons by any person or entity using or enjoying said property or premises. This policy applies to all property and premises owned or controlled by KCTCS including off-campus facilities used for events controlled, sponsored, or managed by KCTCS.

Accordingly, through this policy KCTCS exercises the above right, consistent with KRS 237.115, to institute a general prohibition against deadly weapons on the property/premises due to safety and security concerns, as well as the right for KCTCS to make exceptions to the general prohibition in consideration of KCTCS operational needs and other related statutes.

This policy is applicable only in the Commonwealth of Kentucky. While participating in work-related travel to other states, all employees are responsible for knowing and complying with the laws pertaining to deadly weapons in those states. KCTCS accepts no liability for employees or other individuals who commit violations of deadly weapons laws in Kentucky or in other states.

II. Entities Affected

This administrative policy applies to all members of the KCTCS community, including faculty, staff, students, and visitors.

III. Definition of Deadly Weapon

For purposes of this policy, “deadly weapon” means:

1. Any weapons from which a shot, readily capable of producing death or other serious physical injury, may be discharged;
2. Any knife other than an ordinary pocket knife or hunting knife;
3. Any explosive device;
4. Any weapon of mass destruction;
5. Billy, nightstick, or club;
6. Blackjack or slapjack;
7. Nunchaku karate sticks;
8. Shuriken or death star; or
9. Artificial knuckles made from metal, plastic, or other similar hard material.
IV. Prohibitions

Except as provided in Subsection V of this policy, deadly weapons are prohibited on any property owned, leased, or controlled by KCTCS, including but not limited to the following: classrooms, laboratories, clinics, office buildings, residence halls, performance halls, museums, recreation facilities, farms and forests, parking lots and structures, vehicles owned, leased or rented by KCTCS, and all outdoor areas of the campus of any unit of KCTCS.

V. Exceptions

KCTCS has the right, expressly conferred by statute (KRS 237.115(1)), to control the possession of deadly weapons on any property owned or controlled (leased) by them. Deadly weapons are prohibited on all property and premises owned or controlled (leased) by KCTCS, with the following exceptions:

A. Legitimate Academic/Operational Exceptions

Possession of deadly weapons as part of legitimate academic, athletic, or work-related activities (e.g., law enforcement training).

B. Vehicle Exceptions

1. Possession of a deadly weapon by a person licensed to carry a concealed deadly weapon pursuant to KRS 237.110, if the weapon is contained in a private vehicle or a vehicle that is owned, leased, or rented by KCTCS, and is not removed from the vehicle (KRS 527.020(4)).

2. Weapons that are kept exclusively in a private vehicle (not owned, rented, or leased by KCTCS) and in an enclosed container, compartment, or storage space installed as original equipment in the motor vehicle by its manufacturer, including but not limited to a glove compartment, center console, or seat pocket, regardless of whether said container, storage space, or compartment is locked, unlocked, or does not have a locking mechanism (KRS 527.020(8)).

C. Specific Statutory Exceptions

1. Certain individuals who occupy specific legal status, pursuant to KRS 527.020*. These individuals are:
   • Peace Officers;
   • Certified court security officers in the discharge of their official duties;
   • United States mail carriers when actually engaged in their duties;
   • Agents and messengers of express companies, in the discharge of their official duties; and
• Police officers directly employed by state, county, city, or urban county governments.

2. The following persons, if they hold a license to carry a concealed deadly weapon, may carry a firearm or other deadly weapon at all times and at all locations within the Commonwealth (KRS 527.020)*:
   - A Commonwealth’s attorney or assistant Commonwealth’s attorney,
   - A county attorney or assistant county attorney,
   - A justice or judge of the Court of Justice, and
   - A retired or senior status justice or judge of the Court of Justice.

D. Presidential Permissions

Possession of deadly weapons by a person specifically authorized to have such possession by the KCTCS President or college president/ceo, or their designee, but only if such person fully complies with any and all laws, regulations, and/or restrictions imposed upon such possession by the KCTCS President or college president/ceo, or their designee.

* Items C and D shall also apply to those specified individuals while on the premises of detention facilities, unless expressly permitted by the warden, jailer, or other person in charge of the facility, or his/her designee (KRS 527.020)

All other individuals, whether or not they possess a lawfully issued license or permit, can be prohibited from carrying a concealed deadly weapon by posting signs at the entrances to the properties which clearly identify them as restricted (KRS 237.115(1) and (2)).

VI. Violations

Individuals who possess deadly weapons in violation of this prohibition shall be directed and/or required to remove their weapons or themselves from KCTCS property or premises, with all appropriate legal actions (including arrest) being taken upon failure to comply.

Employees who possess deadly weapons in violation of the prohibition stated in this policy and/or in related statutes are guilty of misconduct and subject to corrective action under KCTCS policies and procedure, up to and including termination of employment and all other appropriate legal actions.

Students who possess deadly weapons in violation of this prohibition are guilty of violations of the Code of Student Conduct and are subject to disciplinary action under that Code, including expulsion from the KCTCS college.

VII. References and Related Materials

KRS 237.110 License to carry concealed deadly weapon
KRS 237.115  Construction of KRS 237.110 – Prohibition by local government units of carrying concealed deadly weapons in governmental buildings – Restriction on criminal penalties
KRS 500.080  Definitions for Kentucky Penal Code
KRS 527.020  Carrying concealed and deadly weapons

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3.3.24  KCTCS Policy on Live Animals on Campus

These guidelines refer to pets on campus, animals used for assisting campus personnel and students, and live animals for laboratory use.

3.3.24.1  Pets on Campus

Dogs, pets and other animals are not permitted within a KCTCS owned or leased building at any time. This policy applies to cafeterias, grills, other eating areas, classrooms and offices.

3.3.24.2  Animals Used for Assisting Campus Personnel or Students

Service or therapy animals accompanied by persons with disabilities, provided they are properly trained and harnessed in conformity with local ordinances, may be permitted.

Service or therapy animals should be registered with the Disability Services Office when required to be used on KCTCS property.

3.3.24.3  Live Animals for Laboratory Use

The Federal Animal Welfare Act provides the United States Department of Agriculture (USDA) through its Animal Plant Health Inspection Service (APHIS) to ensure the proper care for all laboratory animals and for providing humane care and facilities. Only those KCTCS institutions who have sought the proper APHIS registration, formed an Institutional Animal Care and Use Committee (IACUC), and meet the requirements promulgated by the USDA may use vertebrate animals on KCTCS facilities and premises.

This policy prohibits the use of venomous insects and snakes in KCTCS facilities. For the purposes of this section, the insect *Apis mellifera* or honey bee is not considered a venomous insect.
3.3.25 KCTCS Workplace Violence Policy

KCTCS is committed to providing faculty, staff, students and visitors with a safe and secure workplace that encourages productive employment and is as free as possible from intimidation, threats of violence and acts of violence.

KCTCS will not tolerate intimidation, threats of violence and/or acts of violence committed by or against KCTCS employees, or members of the public, while on KCTCS property or while performing KCTCS business at other locations.

KCTCS employees who commit violent acts or who are found to engage in behavior in violation of this policy will be subject to disciplinary action, up to and including termination. Also, appropriate legal action may be taken against employees and/or others who violate this policy, including, but not limited to, protective orders, criminal prosecution, trespassing them from KCTCS campuses, etc.

3.3.25.1 Prohibitions

KCTCS strictly prohibits acts of intimidation, threats of violence and/or acts of violence in the workplace, on campus or other locations where KCTCS business is conducted. Types of behaviors that are prohibited and in violation of this policy include but certainly are not limited to:

- Intimidating, threatening, malicious or hostile statements, actions or gestures,
- Name-calling, shouting, obscene language or gestures, stalking and other abusive behavior,
- Intimidation through direct or veiled verbal and/or written threats,
- Intimidation through unjust exercise of power or authority,
- Threatening comments regarding, or references to, violent events and/or behaviors,
- Throwing objects in the workplace regardless of the size or type of object being thrown, or whether a person is the target of the thrown object,
- Physically touching another person in an intimidating, threatening, malicious or hostile manner, including such acts as: fighting, hitting, slapping, poking, kicking, pinching, grabbing, pushing, bullying, hazing, “getting in your face”, and fist-waving/shaking/pounding,
- Carrying or displaying weapons (see related policy KCTCS APP 3.3.23),
- Intimidating, threatening, malicious or hostile phone calls – includes calls made by one employee to another inside or outside the workplace, or by an employee in the workplace to an individual outside (non-member) of the workplace,
• Intentional damage, destruction or sabotage of company/institutional property or equipment or another’s property or equipment or any substantial threat to damage, destroy or sabotage property or equipment,

• Vandalism, arson, or sabotage,

• Bomb threats (see related policy KCTCS APP 3.3.17.3),

• Rape/sexual assault, and

• Any other act or behavior that is determined to be offensive, inappropriate, threatening and/or violent in the workplace, on campus or other locations where KCTCS business is conducted.

3.3.25.2 Employee Responsibilities

It is the responsibility of every KCTCS employee to assist and cooperate in making the workplace as safe and secure as possible.

• Refrain from acts of intimidation, threats of violence and/or acts of violence in the workplace, and if necessary, seek assistance to resolve personal issues that may lead to such acts,

• Report any actual or perceived violation of the Workplace Violence Policy to your next-in-line supervisor who is not a party to the violation, or directly to the KCTCS Workplace Violence Prevention Assessment and Response Team, and

• Employees are strongly encouraged to report to their supervisor situations that occur outside of the workplace that may affect workplace safety and security, i.e., domestic violence, instances where protective orders have been issued, etc.

Any conduct, behavior or “jokes” that are inappropriate and involve intimidation, threats of violence and/or acts of violence will be taken seriously by KCTCS. No employee shall be subjected to criticism, reprisal or retaliation for good faith reporting of inappropriate behavior or threatening or violent incidents pursuant to this policy.

3.3.25.3 Supervisor Responsibilities

Assess situations, make judgments on the appropriate response, respond to reports of or knowledge of violence, document incidents, and consult the KCTCS workplace violence Prevention Assessment and Response Team.

• Any reports of threats and/or violence, will be evaluated immediately and confidentially, and appropriate action will be taken, where possible, in order to protect the employee from further violence.

• Appropriate disciplinary action, up to and including termination of employment will be taken when it is determined that KCTCS employees have committed acts of threats and/or violence.
• When employee safety is a concern, supervisors should evaluate the workplace and make appropriate recommendations regarding a reasonable response.

3.3.25.4 Prevention Assessment and Response Team (PART) Responsibilities

PART is composed of representatives from the Human Resources, Security, Risk Management, Communications, Legal Departments and other units as appropriate. PART provides support services before, during, or after an incident, crisis or traumatic event. PART consults with internal departments to:

• Assess reports and/or incidents involving acts of intimidation, threats of violence and/or acts of violence in the workplace;

• Investigate reports of those acts as appropriate;

• Determine the appropriate actions and resources to assist and support affected employees/departments; and

• Develop and implement an action plan in response to those acts

The Workplace Violence Policy Quick Reference Sheet will be distributed to employees/departments by Human Resources Coordinators, and will be updated as needed.
3.4 Political Activity

KCTCS is a non-partisan organization focused on serving the educational and training needs of Kentucky citizens and businesses without regard to political affiliation. To preserve our non-partisan status, employees must:

- Limit display of political posters, flyers, balloons and other campaign materials related to current or future elections to your immediate, personal work space.
- Carefully avoid requiring students or subordinate employees to participate in partisan campaign activity or appearing to make such participation necessary to remain in good standing at work or in a course.
- Not solicit campaign contributions or political support on KCTCS property.
3.5 Fringe Benefits (Community College Employees Hired Prior to January 14, 1998)

3.5.1 Mandatory Benefits (Community College Employees Hired Prior to January 14, 1998)

3.5.1.1 Worker's Compensation (Community College Employees Hired Prior to January 14, 1998)

The College System has provided for the welfare of its employees in compliance with the Kentucky Workers' Compensation Law.

1. All employees of the College System, full-time and part-time, who sustain on the job, work-related injuries, are eligible for workers' compensation benefits, as provided under the Kentucky Workers' Compensation Law.

2. An employee sustaining a job related injury must report the injury to a supervisor, as soon as possible. The employee, along with the employee's supervisor, must complete a special form (S.F.1.) provided for this program. An original and two (2) copies are to be sent to the Workers' Compensation Office at the Community College Central Office. These forms should be signed by the supervisor and mailed to the Workers' Compensation Office at the earliest possible moment. The supervisor may wish to call the Workers' Compensation Office to report the accident before completing the forms. The completed forms should be sent to the Workers' Compensation Office on the day the accident occurs, or at least by the following day. The reporting forms should be available in each community college Business Office or they can be obtained by contacting the Workers' Compensation Office.

3. To be eligible for compensation, an employee must have received personal injuries or contracted an occupational disease directly caused by the job in the course of and resulting from employment at the community college. This coverage is limited to the employee and does not cover the employee's family.

4. For additional information concerning benefits under the Workers' Compensation Law, consult the Workers' Compensation Office.

3.5.1.2 Unemployment Compensation (Community College Employees Hired Prior to January 14, 1998)

As of July 1, 1972, the Community Colleges came under the provisions of the Kentucky Unemployment Insurance Law. For information concerning the coverage and details of the
program, individuals should contact their local Unemployment Insurance Office. The Community Colleges provide unemployment compensation to eligible former employees.

### 3.5.1.3 OASDI and Medicare (Social Security)
*(Community College Employees Hired Prior to January 14, 1998)*

All faculty of the College System are covered by the Old-Age and Survivors Insurance of the Social Security Program and thus are eligible for benefits in accordance with the laws governing this program.

Each eligible person must have or obtain a Social Security Card and supply to the community college a completed Treasury Form W-4, K-4, with the Social Security Number, and other information necessary in withholding insurance contributions.

The OASDI and Medicare taxes are deducted from the pay of faculty members, and the College System adds its contribution.

### 3.5.1.4 ERISA (Community College Employees Hired Prior to January 14, 1998)

Employees are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to:

1. Examine, without charge, at the Human Resources Office of the applicable community college, all plan documents, including insurance contracts, and copies of all documents filed by the Plan Administrator, the Human Resources Office, and with the U. S. Department of Labor, such as annual reports and plan descriptions;

2. Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The plan administrator will make a reasonable charge for the copies; and

3. Receive a summary of the plan’s annual financial report. The plan administrator is required by law to make available to each participant a copy of this summary financial report.

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate an employee’s plan, called “fiduciaries” of the plan, have a duty to so prudently, and in the interest of the employees and other plan participants and beneficiaries.

No one, including an employee’s employer or any other person, may fire the employee or otherwise discriminate against the employee in any way to prevent the employee from obtaining
a benefit from this plan or exercising rights under ERISA. If an employee’s claim for a benefit is denied, in whole or in part, the employee must receive a written explanation of the reason for the denial. The employee has the right to have the plan administrator review and reconsider the claim.

Under ERISA, there are steps an employee can take to enforce the above rights. For instance, if the employee requests materials from the plan and does not receive them within thirty (30) days, the employee may file suit in federal court. In such a case, the court may require the plan administrator to provide the materials and pay an employee up to $100 a day until the employee receives the materials, unless the materials were not sent because of reasons beyond the administrator’s control.

If an employee has a claim for benefits which is denied or ignored, in whole or in part, the employee may file suit in a state or federal court. If it should happen that the plan fiduciaries misuse the plan’s money, or if the employee is discriminated against for asserting rights, the employee may seek assistance from the U. S. Department of Labor, or file suit in federal court.

The court will decide who should pay court costs and legal fees. If the employee is successful, the court may order the person the employee sued to pay these costs and fees. If the employee loses, the court may order the employee to pay these costs and fees, for example, if it finds the claim is frivolous.

Questions about the plan should be directed to the plan administrator. An employee should contact the nearest area office of the Labor-Management Services Administration, U. S. Department of Labor, for questions regarding this statement or about rights under ERISA.

3.5.1.5 Health Insurance Continuation (COBRA) (Community College Employees Hired Prior to January 14, 1998)

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) requires that employers who sponsor group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the Plan would otherwise end. This is intended to inform, in a summary fashion, of rights and obligations under the continuation coverage provisions of the law.

An employee, the employee’s spouse, or dependent become Qualified Beneficiaries if the employee, the employee’s spouse, or dependent are covered under the employer’s group health plan and would lose coverage upon the happening of one (1) of the following events (called a Qualifying Event):

1. Death of the covered employee;
2. Termination (for reasons other than gross misconduct) or reduction of hours of the covered employee’s employment;
3. Divorce or legal separation of the covered employee from a spouse;
4. Entitlement of the covered employee for Medicare; or
5. Dependent ceases to be “dependent child” under the group health plan.

In such a case, each Qualified Beneficiary would have the right to elect to choose continuation coverage if the group health coverage would be lost. The employee, employee’s spouse, or dependent children (where applicable) would each, as a Qualified Beneficiary, have the option to select continuation coverage for a period shown as follows:

<table>
<thead>
<tr>
<th>REASON FOR TERMINATION</th>
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<tr>
<td>Voluntary Termination of Employee</td>
<td>18 months</td>
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<tr>
<td>Involuntary Termination of Employee (Except for Gross Misconduct)</td>
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<tr>
<td>Reduction in Work Hours of Employee</td>
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<td>Disability of Employee as Determined under the Social Security Act</td>
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<td>Death of Employee</td>
<td>36 months</td>
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<tr>
<td>Divorce or Legal Separation</td>
<td>36 months</td>
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<tr>
<td>Employee Becomes Entitled to Medicare</td>
<td>36 months</td>
</tr>
<tr>
<td>Dependent Child No Longer Qualifies as Dependent Under Group Health Plan</td>
<td>36 months</td>
</tr>
</tbody>
</table>

3.5.1.5.1 Special Rule for Multiple Qualifying Events (Community College Employees Hired Prior to January 14, 1998)

If the employee elects continuation coverage following a termination of employment or reduction in hours and, during the 18 month period of continuation coverage, a second event (other than a bankruptcy proceeding) occurs that would have caused the employee to lose coverage under the plan (if the employee had not lost coverage already), the employee may be given the opportunity to extend the period of continuation coverage to a total of 36 months. If a beneficiary elected continuation coverage as the spouse or dependent of a covered employee, who experienced a termination of employment or reduction in hours, and during the continuation period the employee or former employee became entitled to Medicare, the beneficiary may be given the opportunity to extend coverage for 36 months from the date the covered employee becomes entitled to Medicare.
3.5.1.5.2 Special Rule for Retirees and Newly Acquired Dependents (Community College Employees Hired Prior to January 14, 1998)

The retiree, spouse, or dependent of a retiree whose employer’s group health plan is lost or substantially eliminated within one (1) year before or after the employer’s filing of a Title 11 Bankruptcy filing can elect to remain in the employer’s group health plan until the retiree’s death. After the retiree’s death, the retiree’s survivors can obtain up to an additional three (3) years of continuation coverage.

Newly acquired dependents of Qualified Beneficiaries such as children and spouses are to be given the same opportunity to obtain coverage as for an employee with, and under the same conditions as, such dependent’s coverage. The newly acquired dependent’s coverage is not as a Qualified Beneficiary, and as such, their continuation coverage will end upon termination of the Qualified Beneficiary’s continuation coverage.

The continuation coverage will not be conditioned on a physical examination or other evidence of insurability, and will be identical, with very few exceptions, to the coverage provided to similarly situated employees or family members. Please note that the beneficiary may be required to pay all or part of the premium for this continued coverage and an administrative fee.

Under COBRA, the Community Colleges must notify the Plan Administrator (except where the employer is the Plan Administrator) within thirty (30) days of an employee’s death, termination of employment or reduction in work hours, Medicare entitlement, and bankruptcy proceedings. In these cases, the plan administrator must then notify the Qualified Beneficiary of the right to elect continuation coverage. This notice must be provided within fourteen (14) days after the plan administrator receives notice that one (1) of these events has occurred. However, with respect to multi-employer plans, to the extent the plan so provides, the Community Colleges may have an extended period of time for notifying the plan administrator of one (1) of the qualifying events, and the Plan Administrator also may have an extended period for providing notice to the Qualified Beneficiary.

In all other cases, the employee or family member has the responsibility to notify the plan administrator of a divorce, legal separation, a child losing dependent status, a disability as determined under the Social Security Act, or a newly acquired dependent under the group health plan. In these cases, the employee has sixty (60) days from the date that the employee would lose coverage because of one (1) of the events described previously to notify the Plan Administrator of the Qualifying Event. In all cases, the beneficiary has sixty (60) days from the date of the notice from the plan administrator or from the date the beneficiary would lose coverage (whichever is later) to inform the plan administrator that the beneficiary wants continuation coverage. The election of continuation coverage is deemed to include an election for family members who will lose coverage under the group health plan unless otherwise specified.
The continuation coverage extends from the date of one (1) of the events described previously to:

1. Eighteen months (in the case of termination or reduced work hours), or 29 months (in the case of disability), or 36 months (in all other cases described previously except retirees and newly acquired dependents (see “Special Rules”).

2. The date the Community Colleges no longer provides any group health plan to its employees.

3. The date the premium for continuation coverage is not paid on time.

4. The date the person whose coverage is being continued becomes covered under another group health plan unless the other plan contains an exclusion or limitation with respect to a pre-existing condition.

5. The date the person whose coverage is being continued becomes entitled to Medicare benefits (unless the qualifying event is the employer’s Title 11 Bankruptcy).

6. The date the beneficiary is divorced from a covered employee, subsequently remarries, and becomes covered under another group health plan, in which case the beneficiary can continue until the maximum allowed period of termination or upon being covered for pre-existing conditions if the new plan excludes or limits benefits for the pre-existing condition coverage plan covers it, whichever occurs first.

To prevent a lapse in coverage, if the beneficiary selects continuation coverage, the beneficiary can pay any required premium within forty-five (45) days after the election. If the Community Colleges' group health plan provides a conversion privilege to other beneficiaries, the Community Colleges must also provide the beneficiary and family members with the opportunity to enroll under a conversion health plan during the 180-day period preceding the date that continuation coverage expires.

3.5.1.5.3 Independent Contractor and Other Service Performers (Community College Employees Hired Prior to January 14, 1998)

Self-employed individuals, independent contractors and agents, and directors who are (or were) covered by a group health plan maintained by an employer for one (1) or more common law employees may also be eligible for continuation coverage. Continuation coverage is provided if the individual was covered under the employer’s group plan by virtue of performing services for the employer.
3.5.1.5.4 Working Aged (Community College Employees Hired Prior to January 14, 1998)

COBRA also affects the rights of employees and spouses who are over 65 years of age. Unless the Community College Branch is exempt from COBRA, then it must offer employees and spouses, age 65 and over, “working aged,” the same health insurance coverage that is offered to younger workers and their spouses.

3.5.2 Carrier Benefits (Community College Employees Hired Prior to January 14, 1998)

3.5.2.1 Group Term Life Insurance (Community College Employees Hired Prior to January 14, 1998)

Regular full-time faculty are insured for $10,000 or the basic amount as established by the college system under the Basic Life Insurance Program. Dependents are not covered under this plan. This insurance may be increased optionally to a total of one (1), two (2), or three (3) times the employee's basic annual salary. The premium for the basic insurance is paid by the College System whereas that for the optional amount is paid by the employee through payroll deduction.

3.5.2.2 Group Accident Insurance (Community College Employees Hired Prior to January 14, 1998)

This insurance covers death and dismemberment resulting from an accident. It provides coverage twenty-four hours a day, every day of the year, world-wide, for accidents on or off the job. Any amount of principal sum (in multiples of $5,000), between a minimum of $10,000 and a maximum of $100,000 may be purchased. You may enroll in the single plan or the family plan which provides dependent coverage to employees as of July 1, 1997. This insurance terminates when you terminate your employment with the College System or retire. It cannot be converted to an individual (non-group) policy. The insurance terminates upon separation or retirement from the Community Colleges.

3.5.2.3 Disability Income Protection (Community College Employees Hired Prior to January 14, 1998)

The College System provides long-term disability income insurance at no cost for all regular full-time faculty of the Community Colleges as of July 1, 1997, who have completed one (1) year of employment. Any benefits received from Social Security and/or worker's compensation are included in arriving at the total benefit amount.
Long-term total disability is defined as the inability, by reason of sickness or bodily injury, to engage for more than six (6) full calendar months in any occupation for which the employee is reasonably fitted by education, training, or experience. To be eligible for disability benefits, the onset of the disability shall have occurred after the employee’s coverage becomes effective, and must also meet the requirements for approval by the College System and the insurance company.

This income protection plan provides monthly benefits for as long as the employee remains totally disabled or until the employee retires in accordance with College System rules. In addition to income benefits, retirement plan payments will continue to be made on the employee's behalf, provided the employee was participating in one (1) of the College System retirement plans on the date of disability.

The waiting period may be waived for those faculty who have had similar coverage within the last six (6) months prior to their employment by the College System.

3.5.2.4 Liability Insurance (Community College Employees Hired Prior to January 14, 1998)

Full-time and part-time faculty have "wrongful acts" liability coverage under the Community Colleges' Educators Legal Liability policy. The policy covers the faculty member in the discharging of duties while employed by the College System.

3.5.2.5 Health and Dental Insurance (Community College Employees Hired Prior to January 14, 1998)

The College System offers health and dental insurance coverage to regular full-time employees through several companies. Health Maintenance Organization (HMO) preferred provider, Indemnity and consumer driven plans are offered. Some are available only to employees who reside in the Lexington area. Faculty members are encouraged to read the information about these plans, which may be obtained from their community college Business Office or the Employee Benefits Office at the Kentucky Community and Technical College System, before enrolling.

3.5.2.6 Health Insurance Credit (Community College Employees Hired Prior to January 14, 1998)

The College System will provide a contribution toward the cost of a health insurance plan for regular full-time employees, eligible retirees, and employees who have been approved for long term disability benefits. Enrollment in one (1) of the health insurance plans offered by the University is required to be eligible for this benefit.
3.5.2.7 **Flexible Spending Account Program (125 Plan)**  
*(Community College Employees Hired Prior to January 14, 1998)*

The Flexible Spending Account Program (125 Plan) is a program that allows eligible faculty members to pay with tax-free earnings for health care expenses for themselves and dependent family members and dependent care expenses. The health care expense portion of the plan requires a one-year (1) waiting period for employment.

3.5.3 **Institutional Benefits (Retirement Plan for Community College Employees Hired Prior to January 14, 1998)**

3.5.3.1 **Basic Retirement Program (Community College Employees Hired Prior to January 14, 1998)**

Persons having academic appointments are classified in the Group I retirement plan. Eligibility of personnel for classification in Group I is conditional upon:

1. Regular full-time employment;
2. Employment in a faculty position or a position otherwise specifically approved for Group I by the President; and
3. Occupation of a position not covered by the United States Civil Service Retirement Plan.

Upon completion of one (1) year of regular full-time service, the College System will contribute to the retirement plan on behalf of faculty members who are enrolled. Participation of eligible Group I personnel becomes a condition of employment upon completion of one (1) year of service and attainment of age 30, and is mandatory.

The University of Kentucky Board of Trustees has authorized three (3) retirement plan carriers, effective July 1, 1988, to be used by College System Employees: Teachers Insurance Association Annuity/College Retirement Equity Fund (TIAA/CREF), Fidelity Investments, and American Century Investors. It is the Board's intention that College System employees be given a wide range of investment options during the years in which contributions are being made on the employees' behalf, as well as a wide range of withdrawal options at the time of retirement.

The preliminary service period shall be waived, upon notification to the retirement section of the employee benefits office within the first 30 days of employment, for employees with tenure or for employees who have 403(b) retirement vehicles issued by one (1) or more of the authorized retirement plan carriers.

All eligible Group I personnel who have satisfied the age and service requirements for mandatory participation shall be required to contribute on a salary reduction (pre-tax) basis. All contributions are to be made by the participant in accordance with the schedule provided in
3.5.3.1.1, however, this provision shall not apply to any participant who prior to December 22, 1986, was making contributions on a salary deduction (after tax) basis.

### 3.5.3.1.1 Contributions as a Percent of Basic Annual Salary (Community College Employees Hired Prior to January 14, 1998)

<table>
<thead>
<tr>
<th>By the Participant</th>
<th>By the Institution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5%</td>
<td>10%</td>
<td>15%</td>
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</table>

The College System deducts the contribution of the participant from regular salary payments, adds its contribution, and remits the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two (2) or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two (2) or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

A participant may change the ratio of allocating funds among retirement plan carriers or change options by completing the appropriate paperwork. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

Retirement benefits purchased with the employee and College System contributions shall become the property of individual participants immediately upon purchase. All benefits are for the sole purpose of providing retirement or death benefits.

If, by applying the above-stated percentages, there is a violation of federal or state laws, as a result of the employer or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

The University of Kentucky Retirement Plan has been approved by the UK Board of Trustees and KCTCS.
3.5.3.2 Phased Retirement Policy and Program
(3.5.3.2-3.5.3.2.4 Approved by KCTCS for All Eligible Regular Status Full-time Faculty and Staff)

3.5.3.2.1 Eligibility for Phased Retirement

The Phased Retirement Program is designed to provide an opportunity for eligible regular status full-time faculty and staff who participate in the 403(b) retirement plans. This option is not available under the defined benefits plans in accordance with the rules of those retirement systems. This policy does not apply to employees hired on or after July 1, 2009. A reduced health option is not available to 403(b) retirement plan participants hired on or after July 1, 2009 (as provided in KCTCS Board Policy 3.7). The intent of the Phased Retirement Program is to make an orderly transition to retirement through less than full-time service. It is entirely voluntary and will be implemented by written agreement. The Program is ongoing but the availability of the program may be limited at any time by the colleges.

Regular status full-time faculty and staff who are tenured or have continued or continuing employment status, have completed fifteen (15) years of full-time service and have reached the date of normal retirement as defined in the applicable retirement plan are eligible to request phased retirement, except as noted above. Term contract and at will employees who otherwise meet eligibility requirements may also request phased retirement. Individuals who have already taken regular retirement are not eligible for phased retirement under this Program.

3.5.3.2.2 Approval for Phased Retirement

Participation in the Phased Retirement Program is not an absolute right or entitlement. Requests for phased retirement appointments shall be granted only when such appointments are in the best interests of the Colleges or System Office.

Eligible staff and faculty shall submit requests for phased retirement to their division/department head. The request will be subject to final approval by the college President/CEO or System Office Vice President based on the availability of financial and human resources.

Requests for phased retirement shall be submitted in advance within a reasonable time frame for processing subject to the division or department needs. Phased retirement that is requested and approved shall begin on the first workday of the next fiscal year following approval of the request unless otherwise agreed upon by the employee and approving parties.

3.5.3.2.3 Phased Retirement Terms and Conditions

Phased retirement under this Program shall be subject to the following terms and conditions:
1. Phased retirement involves a reduction of employment from regular status full-time to regular status half-time. Such appointments may consist of full-time work for one-half (1/2) of a regular schedule. The half time schedule may be daily, monthly, annually, or by semesters depending on individual and departmental needs. The area department head and the faculty or staff member requesting phased retirement shall provide an outline of the job duties and expectations for the phased retirement. This outline shall be in accordance with the essential job functions for the position and shall be set forth in detail in a written phased retirement agreement.

2. The salary of during phased retirement shall be reduced by fifty percent (50%) of the salary the employee would have received if they had not elected to participate in the phased retirement program. Employees electing phased retirement shall not be eligible for proportional merit increases during the period of their phased retirement program. For benefits eligibility purposes, an employee on phased retirement is subject to the terms of the eligibility rules of each carrier/retirement system.

3. Employees participating in phased retirement shall be considered for long-term disability benefits on the basis of the salary before electing phased retirement if allowed under the employee’s disability system/carrier.

4. The period of phased retirement shall not exceed three (3) years in duration for employees under the KCTCS Personnel System. Employees who request and receive phased retirement shall agree in writing to accept full retirement from the Colleges no later than three (3) years after the commencement of their phased retirement. The agreement to retire at the end of the reduced employment period is irrevocable (except as provided in subparagraph 3.5.3.2.4).

5. Phased retirement under this program shall not exceed five (5) years in duration for employees under the UK Personnel System. Employees under the UK Personnel System who request and receive phased retirement shall agree in writing to accept full retirement from the Colleges no later than five (5) years after the commencement of reduced employment. The agreement to retire at the end of the reduced employment period is irrevocable (except as provided in subparagraph 3.5.3.2.4).

6. All contributions to participating employees’ retirement shall be based upon their reduced salaries. Employees on phased retirement shall receive fifty percent (50%) of the paid vacation leave that they would have otherwise received. Employees on phased retirement shall receive retirement plan benefits and other employee benefits normally offered to regular full-time faculty and staff in accordance with eligibility rules of the carrier for each benefit. For employees hired on or after July 1, 2009, a retiree health option would not be available to 403(b) retirement plan participants (as provided in KCTCS Board Policy 3.7).
7. Requests for travel expenses and support services for participating employees shall be considered and evaluated under normal processes. A participating employee’s use and occupancy of office or lab space shall not be adversely affected unless it is in the best interest of KCTCS.

The terms and conditions may be modified by the college president/ceo or System Office Vice President.

In order to maintain their eligibility for health insurance benefits through KCTCS, employees who participate in a KCTCS 403(b) retirement plan and who meet the eligibility requirements for a phased retirement may request an alternate pre-arrangement in lieu of opting for a phased retirement. These employees may request an immediate rehire by KCTCS in a regular status half-time arrangement subject to approval by the college president/ceo or System Office Vice President. The terms and conditions of the Phased Retirement Program shall otherwise apply to employees who are in this alternate arrangement, including a 50% salary reduction based on their salary immediately prior to retirement. For employees hired on or after July 1, 2009, a return health option would not be available to 403(b) retirement plan participants (as provided in KCTCS Board Policy 3.7)

3.5.3.2.4 Phased Retirement General Provisions

This policy shall not preclude eligible employees from electing regular retirement at any point in time prior to the end of the period of the phased retirement agreement (even though such employees may have an agreement requiring retirement at some point in the future). Nothing in this policy shall preclude post-retirement employment of an individual who has elected phased retirement under this program.

Each phased retirement agreement under this program shall include a waiver of rights and claims by the employee. The waiver shall fully comply with the requirements for knowing and voluntary waivers. The agreement shall provide no less than forty five (45) days for consideration and the employee is advised to consult with an attorney prior to executing the agreement. In addition, phased retirement agreements shall not become effective and enforceable for a period of ten (10) calendar days following execution of the agreement; during such period the employee may revoke the agreement. In the event the employee elects to revoke the agreement within the ten (10) day period, the employee shall immediately be restored to the full-time employment status that existed prior to execution of the agreement.

Employees on phased retirement appointments will have the same responsibilities and academic freedoms as other staff or faculty members, including all grievance and appeal procedures.
3.5.3.3 Voluntary Tax Deferral Program (Community College Employees Hired Prior to January 14, 1998)

Regular full-time faculty members may voluntarily tax defer funds in addition to those invested through the University's retirement plan. The investment carriers are the same companies offered for the retirement plan (TIAA/CREF, Fidelity and American Century). All contributions must be through payroll deduction.

Those faculty members who are not immediately eligible to participate in the retirement program may also participate in this voluntary tax deferral program.

There is a maximum amount as well as a minimum amount, calculated by the retirement section, that may be contributed each calendar year. Interested employees should contact the retirement section of the appropriate Employee Benefits Office.

3.5.3.4 Deferred Compensation Plan (Community College Employees Hired Prior to January 14, 1998)

Faculty members may voluntarily elect to set aside a portion of their before-tax earnings to be invested by the state in a special Tax Deferred Investment Account for their future benefit.

This means that participants will pay no current state or federal income taxes on the monies which they set aside while in the plan. In addition, all of the interest and any capital gains would automatically be reinvested and not be subject to taxes while in the plan. Interested persons should contact the business officer of their community college.

3.5.3.5 Credit Union (Community College Employees Hired Prior to January 14, 1998)

The University of Kentucky Federal Credit Union is a savings, lending, and checking organization owned and operated on a non-profit basis for its members. Membership is open to College System employees and their families.

Payroll checks may be deposited directly. Interest is earned on both checking and savings accounts and there is no service charge. Also, payroll deduction is available for savings or loan payments. For additional information and other services, contact the University of Kentucky Federal Credit Union, Lexington, Kentucky 40506.
3.5.3.6 University of Kentucky Faculty Club
(Community College Employees Hired Prior to January 14, 1998)

Community college faculty may become members of the University of Kentucky Faculty Club. Community college faculty who live and work outside of Fayette County may obtain associate memberships in the Faculty Club. These memberships are available at a reduced rate. Interested persons should contact: The University of Kentucky Faculty Club, Hilary J. Boone Faculty Center, 510 Rose St., Lexington, Kentucky 40506 (606) 257-4136.

3.5.3.7 Blood Donor Program (Community College Employees Hired Prior to January 14, 1998)

Any employee of the Community Colleges, the employee's dependents, or any retired employee is eligible for membership in the College System group of the Central Kentucky Blood Center. Membership, according to published literature distributed by the Blood Center, guarantees that blood will be available in unlimited quantities anywhere in the United States without the responsibility of finding replacement donors or payment of replacement fees on whole blood and red blood cell products. The Blood Donor program is a voluntary program and its continuation is dependent upon donations from members. Blood drawings are held periodically at various locations on campus.

3.5.3.9 Admission to Athletic Contests (Community College Employees Hired Prior to January 14, 1998)

Full-time members of the faculty may purchase season tickets for football and basketball games at a reduced rate, providing tickets are available. For further information, contact the University of Kentucky Athletic Association Ticket Office.

3.5.4 Other Benefits (Community College Employees Hired Prior to January 14, 1998)

3.5.4.1 Activity Tickets (Community College Employees Hired Prior to January 14, 1998)

With regard to the use of College System funds (general, restricted, discretionary, etc.) for the purchase of athletic event tickets:

1. Discretionary funds can be used on a game-by-game basis to pay for single tickets purchased for a friend of the college/donor - documentation attached to the appropriate forms used to purchase the tickets must indicate to whom the tickets were given and the game attended;
2. Use of Community College funds (general fund, restricted, discretionary, etc.) will not be permitted for the purchase of season tickets in the name of an individual (this includes community college presidents/ceo) or in the name of the college;

3. If a community college president/ceo purchases tickets from personal funds and gives a ticket to a friend of the college/donor, the president may be reimbursed for the cost of the ticket, after-the-fact and on a game-by-game basis - documentation used for reimbursement must indicate to whom the tickets were given and the game involved. The individual has the option to wait until the end of the season and seek reimbursement for several tickets on a single appropriate form.

3.5.4.2 Child Care (Community College Employees Hired Prior to January 14, 1998)

Child care provisions vary by community college. Please check with the community college Human Resources Office for specifics.

3.5.4.3 Parking Fees (Community College Employees Hired Prior to January 14, 1998)

The Board delegates to the president of each Community College the responsibility for the development and enforcement of procedures for the control of motor vehicle traffic and parking on community college property, such property to be defined as all real property owned or occupied, and exclusively operated by the Community Colleges.

3.5.4.4 Discounts (Community College Employees Hired Prior to January 14, 1998)

The College System maintains a program in cooperation with community, businesses, offering discounts or other incentives to College System employees. To use the program the employee must show identification, a valid Community College picture ID or valid Community College Faculty/Staff Card, and a valid drivers license or other picture ID. Employees are eligible for any discount offered throughout the Commonwealth.

The College System does not warrant any goods or services provided by any business participating in the Employee Discount Program.

This is the employees’ program and the Employee Benefits Committee is acting on the employees’ behalf in voluntary cooperation with all participating merchants.

3.5.4.5 Elder Care (Community College Employees Hired Prior to January 14, 1998)

Elder Care is a consultation, information, guidance, and referral program regarding services for the elderly. For support and counseling for family members with aging relatives call 323-4600 in Lexington, or 1-800-873-8532, toll free, outside of Lexington. A trained specialist is available
Monday through Friday from 8:00 a.m. to 5:00 p.m. Eastern Time, except holidays. The service is free for College System faculty, staff, and retirees.

3.5.4.6 Wellness Program (Community College Employees Hired Prior to January 14, 1998)

The University's Wellness Program provides a comprehensive health promotion program coordinated through one organizational Unit. The goal of the program is to promote all aspects of health which deal with disease prevention and care, physical fitness, and human resource development. The Wellness Program is dedicated to assisting employees in achieving a higher quality of life. Self-responsibility is emphasized and will determine the success of the program for each individual. Courses are offered in the areas of health education, safety, and fitness. Employees, retirees, and spouses of eligible Community College employees are eligible for many of the courses offered by the Wellness Program. Contact the Wellness Program office at 257-WELL for more information on how to participate.

3.5.4.7 Identification Cards (Community College Employees Hired Prior to January 14, 1998)

Identification cards are available to regular faculty members. The cards will be issued by the Employee Benefits Office of the applicable community college.
3.6 Employee Benefits Policy (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

3.6.1 Employee Benefits (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

It is the intent of KCTCS to provide a benefits program with a broad foundation upon which employees can build for the security and well-being of their families. You are encouraged to call the Personnel department and inquire about the plans/programs. KCTCS reserves the right to modify, change or eliminate these programs and plans as deemed appropriate.

Eligible employees must complete all required processes to enroll in benefit plans. Enrollment is not automatic. Failure to enroll pursuant to plan guidelines may result in the loss of this enrollment right. It is the new employee’s responsibility to complete the enrollment process. The narrative and other descriptions of the various programs and plans are not intended to provide you with in-depth understanding. This need is met through the brochures and other publications issued. Read all of the literature carefully in order that you enroll only in optional programs/plans that you need and want.

While every attempt has been made to be as accurate as possible, the benefits coverage is governed by the specific contracts that are issued and provided to you following enrollment.

3.6.2 Life Insurance (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

Regular full-time employees are insured under the Basic Life Insurance Program for $20,000. The life insurance is term insurance and no cash values accumulate. The premium is paid by KCTCS. This insurance terminates at retirement or upon separation from KCTCS employment, whichever is earlier. Employees may, at the time of employment termination or retirement and for a period of 30 days thereafter, convert part or all of their group insurance to an individual plan. No evidence of insurability is required for this guaranteed conversion privilege. Rates are determined by the life insurance company and will differ considerably from KCTCS’ group rate.
3.6.3 Accidental Death and Dismemberment Insurance
(Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

This insurance offers death and dismemberment insurance coverage of $20,000. Premiums are paid by KCTCS. It provides coverage twenty-four hours a day, every day of the year, worldwide, for accidents on or off the job. This insurance terminates when you terminate your employment with KCTCS or retire. It cannot be converted to an individual (non-group) policy.

3.6.4 Medical Insurance Plans (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

KCTCS offers employees various medical insurance plans. As an alternative approach to the health insurance plans, we also offer Health Maintenance Organizations (HMOs) where they are available. You are encouraged to read the medical insurance brochures which come with this handbook or are available through your Personnel department.

KCTCS contributes to the monthly cost of the plans you choose. The contributed amount is, up to the cost of the plan you choose, available to every full-time employee. You pay the additional cost, if any, for the plan of your choice through payroll deduction. Premiums are paid one month in advance.

3.6.5 Insurance Premium Payment During Leaves of Absence

KCTCS will continue to pay its share of insurance premiums while you are on a paid leave of absence. While you are on any other type of unpaid leave of absence from KCTCS, you will be responsible for paying the total premiums for your coverage and that of your dependents. Failure to do so may result in loss of coverage and possible refusal by the insurance carrier to allow your coverage to be reinstated. Please consult with the appropriate human resources office to establish a payment schedule.

For faculty on paid sabbatical leave all benefits are paid by KCTCS.

3.6.5.1 Insurance Coverage During Leave Without Pay
(Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

In the event you are in a leave without pay status for part or all of a pay period and/or your paycheck is not large enough to cover insurance premiums, it is your responsibility to contact the Personnel department and make arrangements for payment of the required premiums in advance and in full. Failure to do so may result in loss of insurance coverage.
3.6.6 Long-Term Disability Insurance (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

KCTCS provides long-term disability insurance to regular, full-time employees choosing a defined contribution 403(b) retirement plan after one year of service. Employees who had coverage through their previous employer may be immediately eligible. The benefit provides 60% of the employee's monthly wage base (not to exceed $5,000 per month) in the event of long-term disability. For employees whose retirement is through a Defined Benefit Plan, a disability retirement option is available.

3.6.7 Conversion of Insurance Upon Termination of Employment (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

Employees or dependents, or both, who lose their coverage under the health plan because of termination of employment, loss of dependent status as defined by the health plan, death of the employee, divorce, etc., may continue coverage under the group plan as provided by federal law. Information about the continuation of coverage under these provisions may be obtained by contacting the Personnel department.

3.6.8 Workers' Compensation (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

All KCTCS employees are covered by provisions of the Kentucky Workers’ Compensation Act. This entitles employees to the benefits prescribed by statute for injury, occupational disease, or death without regard to fault, is such injury, occupational disease, or death occurs as a result of employment. KCTCS pays the cost of this program which provides benefits in the form of payment of medical expenses, compensation and death benefits. All on-the-job injuries must be reported to your supervisor to assure prompt treatment and proper handling of claims.

3.6.9 Retirement Plan Policies (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998, but prior to January 1, 2014)

All employees enrolled in existing plans prior to January 1, 2014, shall maintain all eligibility, rights, and privileges that relate to the plans, subject to any plan changes.
All eligible employees not enrolled in a KCTCS sponsored retirement plan as of January 1, 2014, shall be required to enroll in a KCTCS sponsored 403(b) defined contribution plan. Eligible employees are all regular full time employees and any other employees who work an average of 25 or more hours per week or an average of 100 hours per month. Employees who work between one and 24 hours per week or less than an average of 100 hours per month are not eligible. Student workers, including federal work study, ready-to-work, work and learn, and student wage workers, are not eligible for participation in KCTCS sponsored 403(b) defined contribution plan.

Eligible employees employed prior to January 1, 2014, shall have 60 days to select a carrier and enroll in the 403(b) plan.

Regular full time employees hired on or after January 1, 2014, must select a carrier and enroll in the 403(b) plan within 30 days of the date of hire.

All other eligible employees hired on or after January 1, 2014, must select a carrier and enroll in the 403(b) plan within 180 days of the date of hire.

Once enrolled in the 403(b) plan, employees shall remain eligible for continued participation in the plan regardless of any change in their eligibility as defined in this policy.

3.6.10 Flexible Spending Accounts (Technical College Employees Hired on/or after July 1, 1998; Community College and System Employees Hired on/or after January 14, 1998)

This program allows eligible employees to pay for health insurance premiums, dependent care expenses, and health care expenses not covered by insurance with tax-free earnings. Tax sheltering under this plan provides exemption of these expenses from Social Security tax and federal and state income taxes.

Enrollment may occur within the first 30 days of employment or during subsequent open enrollment periods. Health care spending accounts are limited to $2,400 per year. Dependent care accounts are limited to $5,000 per year.

Re-enrollment is required each year to continue the dependent care and health care spending portions of the plan. Enrollment forms and additional information may be obtained by contacting the appropriate human resources office.
Drug-Free Policy Notification

KCTCS is committed to providing a healthy and safe environment for its students, faculty, and staff. KCTCS has defined conduct in relation to the unlawful possession, use, dispensation, distribution, or manufacture of alcohol or illicit drugs. Conduct which is in violation of this definition poses unacceptable risks and disregard for the health, safety, and welfare of members of the KCTCS community and shall result in disciplinary action up to and including suspension or termination.

As a recipient of federal grants and contracts, KCTCS gives this notice to students, faculty, and staff that it is in compliance with, and shall continue to be in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. Students, faculty and staff are herein notified of the standards of conduct which shall be applicable while on KCTCS property, on KCTCS business, and/or at KCTCS sponsored activities.

STANDARDS OF CONDUCT

By KCTCS policy, by federal law, by state law, and, in some instances, by local ordinance; students, faculty, and staff are prohibited from the unlawful possession, use, dispensation, distribution, or manufacture of illicit drugs on KCTCS property, on KCTCS business and/or at KCTCS sponsored activities.

Under KCTCS policy, students, faculty, and staff are required to abide by state laws concerning alcoholic beverages. Basically, Kentucky laws state that, if one is under the age of 21, it is unlawful to:

1. possess or consume alcoholic beverages,
2. misrepresent one's age for the purpose of purchasing alcoholic beverages, or
3. use a fake ID in an attempt to purchase alcoholic beverages.

No matter what one's age, Kentucky law states that it is unlawful to:

1. procure any alcoholic beverages for anyone under 21 years of age, or
2. drink or be drunk in a public place.

KCTCS campuses and buildings are considered as public places for purposes of these laws, except for a facility licensed to serve alcoholic beverages, and except for a facility used as a private residence, unless KCTCS policies state otherwise.
Any member of the KCTCS student body, faculty, or staff who violates these defined standards of conduct shall be subject to appropriate disciplinary action up to and including suspension and/or termination. The specifically defined standards of conduct, the disciplinary procedures, and the appropriate sanctions are detailed in the codes of student conduct and in the Kentucky Community and Technical College System policies and procedures.

In addition, it is a violation of state law to operate a motor vehicle while under the influence of any substance (drugs or alcoholic beverages) which may impair one's driving ability.

**SANCTIONS**

Under KCTCS policies and procedures, students who violate this standard of conduct are subject to disciplinary action from a minimum of a warning to a maximum of suspension from KCTCS. Students who reside in college housing are subject to further disciplinary action which may vary from a warning to termination of their housing contract.

Faculty and staff are subject to disciplinary action from a minimum of a warning to a maximum of termination from KCTCS employment.

Under state and federal drug laws, the gravity of the sanction depends on the classification of the controlled substance, the particular activity involved (possession or trafficking which includes manufacture, sale, and possession with intent to sell), and whether or not multiple convictions are involved.

Under Kentucky law, the most severe penalty for a drug law violation involves trafficking. On a first offense conviction, one may receive a fine of up to $10,000.00 and/or a sentence of up to ten years in the penitentiary; for subsequent offenses, the penalties may be doubled.

Under federal law, for simple possession of a controlled substance, one may be imprisoned for up to one (1) year and/or fined up to $1,000.00. For subsequent offenses, one may be imprisoned for up to three (3) years and/or fined up to $5,000.00. Under federal law, one may be fined up to $8,000,000.00 and/or may be sentenced from not less than 10 years up to life in prison for drug trafficking. For violations of other federal drug laws, one may receive life in prison or the death penalty.

Under both state and federal laws, one may suffer the loss of whatever property (house, farm) or possessions (vehicle) which one may have used in the drug trade.

Sanctions for violation of state alcohol laws vary from a fine of $10.00 to $2,000.00, a sentence of forty-eight (48) hours to twelve (12) months in jail, and/or suspension of one's operator's license.
NOTICE OF DRUG-RELATED CONVICTION

In compliance with the Federal Drug-Free Workplace Act of 1988, any employee shall notify the immediate supervisor if the employee is convicted of a criminal drug offense occurring in the workplace or while on KCTCS business within five (5) days of the conviction. KCTCS shall take appropriate sanction and remedies in accordance within its policies. The provisions of this section are applicable to students who are employees of the KCTCS. If the employee is under a federal contract or grant, the KCTCS shall notify the contracting or granting agency of the conviction and of its actions. This section of this policy is also applicable to students who receive a Pell grant (federal grant).

HEALTH RISKS

The scope and impact of health risks from alcohol and drug abuse are both alarming and well-documented, ranging from mood-altering to life-threatening, with consequences that extend beyond the individual to family, organizations, and society at large. KCTCS, therefore, conducts regular programs to educate its students, faculty, and staff that consumption and use of drugs may alter behavior, distort perception, impair thinking, impede judgment, and lead to physical or psychological dependence.

Alcohol and/or drug abuse may lead to the deterioration of physical health by causing or contributing to various health conditions including but not limited to fatigue, nausea, personal injury, insomnia, pathological organ damage, some forms of cancer, pancreatitis, heart attack, respiratory depression, birth defects, convulsions, coma, and even death. Alcohol and drug abuse may also result in deterioration of mental health by causing or contributing to various conditions such as increased aggression, hallucinations, depression, disorientation, and psychosis.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident.

Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information.

Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.
Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

**TRAINING AND COUNSELING RESOURCES**

Continuous efforts are made to make students, faculty, and staff aware of the on-campus and off-campus programs which provide information and professional services on matters related to the abuse of alcohol and drugs.

Other counseling, treatment, and rehabilitation services are available in the communities throughout the state in which KCTCS employees are located.

Many other services are available and may be located by looking in the local phone directory yellow pages under "Social Services" or "Alcoholism" or in the "Community Service Guide" section at the front of the telephone directory.

**POLICY REVIEW**

This statement and any revisions thereto shall be distributed annually to students and employees. Distribution shall be the responsibility of the KCTCS Chancellor or designee.

Annual Review Policy - The KCTCS Chancellor or designee shall review and interpret procedures relevant to this statement and shall be responsible for maintaining records of the annual review of this statement.
SECTION 4

Academic and Service Related Policies
4.1 Policies and Procedures for KCTCS Libraries

4.1.1 Mission

The mission of the KCTCS college libraries reflects and supports the mission of the Kentucky Community and Technical College System and the individual colleges. The mission of the libraries is to provide information in various formats to support the present and anticipated education, research, and service functions of the Kentucky Community and Technical College System and the local communities’ needs. The libraries share and implement the mission of the Kentucky Community and Technical College System and the local colleges. They are a part of the total teaching and learning process.

The mission of the KCTCS Library Network is to provide central support and services for shared activities and resources.

4.1.2 Administrative Structure

Each college library is managed by a Library Director who reports to the college president/chief executive officer or his/her designee. Librarians have faculty status. Librarian ranks are Instructor, Assistant, Associate, and Professor for those hired 2004 and thereafter (Librarian IV, Librarian III, Librarian II, and Librarian I may be used respectively for those hired prior to 2004). The KCTCS Library Network is coordinated by a staff of librarians, reporting to the KCTCS Chief Information Officer.

The Library Network Office is responsible for all aspects of the automated library system, including union database training, design, security, profiling, and maintenance. The Library Network Office coordinates external library network memberships, serves as the liaison with vendors, and performs other functions as listed in Acquisitions, Cataloging, and Planning.

4.1.3 General Policies and Procedures

4.1.3.1 Services

Because each college’s needs and programs are unique, each college library has its own mission statement which reflects these differences. Kentucky Community and Technical College System provide interlibrary loan services at no charge, according to Cooperative Agreement Procedures.

The college libraries provide library services and resources to distance education students equitable to those provided to on-campus students.

For individuals with disabilities, the libraries will provide services and assistance that permit access to and use of library services.

4.1.3.2 Acquisitions
Each college library is responsible for the acquisition of traditional print and audiovisual materials to support the curriculum.

The college libraries cooperatively select electronic databases which are shared throughout the system. The Library Network Office coordinates contract negotiations and payments. The Library Network Office monitors collective library endowment funds.

4.1.3.3 Cataloging

Union database cataloging follows international standards. The Library Network Office coordinates cooperative cataloging and database integrity.

4.1.3.4 Planning

Library Directors meet at least twice a year for system-wide planning. The Library Directors name a representative to the state-assisted group. The college librarians and Library Network Office staff participate in statewide library/information initiatives. Library Directors participate in their college’s planning, goal-setting, and budgeting. Library Directors assess needs and services to meet local needs and SACS criteria.

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<thead>
<tr>
<th>Date Approved by President, KCTCS</th>
<th>Date(s) of Last Review</th>
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<tr>
<td>4-30-99</td>
<td>9-24-02; 3-29-05; 5-10-07; 11-2-10</td>
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(SIGNED) 11-2-10 (SIGNED) 11-2-10

Recommended by Date President, KCTCS Date
4.2.5 Information and Information Technology Responsible Use Policy

This policy applies to the entire KCTCS community of students, employees (both faculty and staff), affiliates, and authorized guests. **KCTCS requires all individuals to responsibly use information and the information technology employed to collect, process, store, and disseminate it. Acceptance of this policy shall be acknowledged before being allowed access to KCTCS information technology.**

This policy complies with other KCTCS policies and procedures, particularly policies related to ensuring a harassment-free, discrimination-free, respectful, and professional education/work environment.

Information is data about people, objects, and events, as well as derivations of these data. Information may be text, sounds, and images in electronic form, as well as on paper and other tangible media. Information shall be subject to appropriate and consistent protection, whether in transit, stored in a shared server, cloud storage, workstation, laptop, personal digital device, file cabinet, or wastebasket, copier, fax, database, or other possible locations.

Information created using KCTCS information technology is an asset of KCTCS. The information includes confidential and restricted information as well as public information.

Information technology (IT) is the application of computers and telecommunications equipment to store, retrieve, transmit and manipulate data. **KCTCS information technology includes all hardware, software, and communication networks that KCTCS owns, leases, or has been assigned control. It also includes non-KCTCS hardware and software while it is connected to the KCTCS communication network or to other KCTCS information technology.**

**4.2.5.1 Categories of Responsible Use of Information and Information Technology**

Derived from the values held by KCTCS, there are five categories of responsible use: **Privacy, Lawfulness, Integrity of Information and Information Technology, Improper Use of Information and Information Technology, andCourtesy.**

**Privacy**

KCTCS requires faculty, staff and students to ensure the privacy of personal information. Violating or disregarding an individual’s right to privacy is a violation of this policy.

KCTCS technology and information technology user account information, including but not limited to user passwords, may not be transferred to or shared with another without explicit written authorization by the KCTCS Legal Services in consultation with KCTCS Vice-President responsible for Technology Solutions.

**Lawfulness**

KCTCS requires individuals to obey laws related to information and information technology.
Integrity of Information and Information Technology
KCTCS requires individuals to ensure the integrity of the information and information technology.

Improper Use of Information and Information Technology Resources
KCTCS requires individuals to utilize information and information technology resources for business and educational related purposes only.

Courtesy
KCTCS requires individuals to use information technology in a manner consistent with maintaining optimal professional and respectful work and study environments.

4.2.5.2 Confidential and Restricted Information

A specific focus of this policy is placed on confidential and restricted information, since KCTCS values the privacy of the individual. Within the central repositories, each data item or dataset shall be categorized to ensure that sensitive information is limited to those who have a legitimate educational or KCTCS business-related purpose to use it.

KCTCS requires individuals to safeguard confidential and restricted information from irresponsible use. Confidential information, the highest level of sensitivity, is defined as information that could cause substantial damage to or liability for KCTCS if treated irresponsibly. Restricted information is defined by the need for special safeguards beyond that taken for public information. Public information, the lowest level of sensitivity, may be released according to rules, guidelines, and definitions developed to safeguard the information entrusted to KCTCS. All information in this policy includes the secure transmission and disposal of information or information technology.

All forms of recorded information and access to that information: written, oral, and visual, regardless of the media, including paper and electronic, shall be safeguarded. The external distribution of confidential and restricted information regardless of the media, including electronic and paper, shall be limited. Safeguarded precautions shall be utilized when providing information in electronic form or other media.

4.2.5.3 Information and Information Technology Responsible Use Compliance

Employees shall complete and sign a compliance agreement in which he/she agrees to comply with the Information and Information Technology Responsible Use Policy.

The compliance agreement shall be available for electronic, as well as handwritten, signature. Other accommodations shall be made for special needs pursuant to state and federal law.
4.2.5.4 Roles and Responsibilities for Ensuring Responsible Use of Information and Information Technology

The KCTCS President has ultimate responsibility for the information, including that information intended to reside primarily at the System Office, and for the information technology on which it is stored or processed.

The KCTCS President or his/her designee shall:

- Annually review a summary prepared by the KCTCS Vice-President responsible for Technology Solutions or his/her designee(s) of the system- and college-level security reports and, if necessary, direct the revision of this policy and associated rules, guidelines, and definitions.
- Provide opportunities for the entire KCTCS community to identify and implement best practices in responsible use of information and information technology and for the information technology administrators to refine their skills in safeguarding information and information technology.

The KCTCS Vice-President for Technology Solutions shall recommend policies and procedures that ensure:

- That information within central repositories is secure and available.
- That information technology resources shared across KCTCS, including the communication network, are secure, available, and appropriately distributed.

Requests for exceptions to this policy shall be submitted for approval to the KCTCS President or his designee the KCTCS Vice-President responsible for Technology Solutions. All requests shall be submitted in written or electronic form.

In addition, the KCTCS Vice-President responsible for Technology Solutions shall:

- Annually review and forward to the KCTCS President any suggested modifications to this policy.
- Interpret this policy with advice of the KCTCS President and Cabinet officers.
- Appoint a system-level Information Security Officer within the KCTCS Office of Technology Solutions to serve as the custodian of all information owned by KCTCS which is stored centrally, particularly the central database system.

The KCTCS Chancellor, KCTCS Vice President primarily responsible for Student Services, KCTCS Vice President primarily responsible for Human Resources, and the KCTCS Vice President primarily responsible for Finance shall:

- Assign a System Office designee within their respective areas with direct operational-level responsibility for information management of the records repository who will be responsible for data access, security and integrity, and policy implementation.

The KCTCS Vice President primarily responsible for Institutional Advancement shall:

- Oversee the content within the central repositories with respect to Advancement records and assign a unit designee with direct operational-level responsibility for information management for these records who will be responsible for data access and policy implementation issues.
• Assign a System Office designee within their respective areas with direct operational-level responsibility for information management of the records repository who will be responsible for data access, security and integrity, and policy implementation.

KCTCS Legal Services shall:
• Review local, state, and federal legislation for potential impact on this policy and its execution as needed.
• Make recommendations on the implementation of this policy and related procedures.
• Advise the KCTCS leadership on the legality of actions related to irresponsible use, including its investigation.

The system-level Information Security Officer shall:
• Serve as the primary contact for issues related to confidential and restricted information and information technology.
• Recommend rules, guidelines, and definitions for responsible use.
• Ensure that appropriate security controls are enabled and being followed in coordination with each of the unit designees of central repositories, including:
  o Classifying data items within each of the central repositories as “Confidential or Restricted”, or “Public” and ensuring security is maintained at an appropriate level based on the classification. ([https://employees.kctcs.edu/ts/Pages/SecurityPolicy.aspx](https://employees.kctcs.edu/ts/Pages/SecurityPolicy.aspx)--click Data Classification Policy to view data classification type and element)
  o Administer policies and procedures for granting and maintaining access privileges for systems containing confidential or restricted information.

The system-level Senior Information Security Analyst shall:
• Serve as a primary resource for forensic analysis as it relates to confidential and restricted information and the support technology devices.
• Implement programs that support rules, guidelines and responsible use.
• In-depth analysis of potential vulnerabilities as it relates to information security throughout the KCTCS system.

The college presidents/chief executive officers shall oversee information intended to reside primarily at the college and supervise the information technology located at their college.

The college president/chief executive officer shall:
• Communicate this policy and related procedures regularly to the academic community of the college.
• Identify problem areas to the KCTCS Vice-President responsible for Technology Solutions, and, if necessary, propose changes to policy, rules, guidelines, and definitions to improve security or reduce irresponsible use, as well as to the system-level Information Security Officer.
• Appoint a college-level Information Security Officer.

The college-level Information Security Officer shall:
• Serve as the custodian of all information and information technology residing primarily at the college.
• Ensure that appropriate security controls are enabled and being followed in coordination with information technology administrators responsible for security administration at the college, including:
  o Classifying data stored locally at the college as “Confidential or Restricted”, or “Public” and ensuring security is maintained at an appropriate level based on the classification. ([https://employees.kctcs.edu/ts/Pages/SecurityPolicy.aspx](https://employees.kctcs.edu/ts/Pages/SecurityPolicy.aspx)--click Data Classification Policy to view data classification type and element)
  o Administer policies and procedures for granting and maintaining access privileges for systems containing confidential or restricted information.

The college senior administrator primarily responsible for information technology shall:
- Annually review and forward to the college president any suggested modifications to this policy.

### 4.2.5.5 Orientation Training, Ongoing Professional Training and Annual Compliance and Acceptance Review of Responsible Use of Information and Information Technology

All KCTCS employees shall:
- Complete basic web based security training; new employees shall complete training before access is granted to information resources.
- Review the requirements for responsible use of information and information technology annually and sign an acknowledgement statement either electronically or manually depending on the mode of delivery. Additional training may be required as best practices evolve.

Some KCTCS employees may be required to complete advanced training based on their level of access.

### 4.2.5.6 Non-compliance Regarding Responsible Use of Information and Information Technology

KCTCS students, employees, affiliates, and authorized guests shall comply with related laws and KCTCS policy. Violations shall not be permitted and shall be addressed appropriately by KCTCS.

#### 4.2.5.6.1 Examples of Non-compliance Regarding Responsible Use of Information and Information Technology

Violations of this policy or any attempt to violate this policy constitute irresponsible use. Violations include, but are not limited to:
Privacy

- Viewing or distributing confidential or restricted information without authorization.
- Sharing passwords or acquiring the password of another.
- Failing to protect one's own account from unauthorized use, e.g., leaving a publicly-accessible computer logged on but unattended.
- Transferring confidential or restricted data without authorization to non-KCTCS devices, including home computers, removable memory devices, and personal digital devices.
- Storing confidential or restricted information on a portable device (such as a laptop, personal digital assistant (PDA), cell phone, or an external storage device) that is subject to loss or theft without authorization and without carrying out proper safeguards.

Lawfulness

- Copying, moving, or capturing licensed software for use on a system for which the software is not licensed or for use by an individual for which the software is not authorized.
- Any unauthorized distribution of copyrighted material using KCTCS information technology resources is expressly forbidden.
- Using KCTCS network resources and technology in a peer to peer arrangement or internet downloading for the purpose of obtaining copyrighted materials (such as movies, music and literature) is forbidden in accordance with the Higher Education Opportunity Act.
- Communicating text or images using KCTCS information technology that is likely to be considered by KCTCS employees or students to contribute to an offensive or discriminatory work or academic environment.
- Representing the institution using information or information technology without proper authorization.
- Selling or bartering information or access to information technology.
- Disabling security on information technology without proper authorization.
- Concealing one’s own identity in bad faith, i.e., with the intent to deceive.
- Using or allowing use of information technology to access materials likely to be considered pornographic by institution leadership.

Integrity of Information and Information Technology

- Intentionally accessing, using, viewing, distributing, modifying, obscuring, or deleting of data, including information technology administrative data without proper authorization.
- Installing/downloading on KCTCS information technology any unauthorized software which damages information or restricts the accessibility to the information technology resources (e.g. computer viruses, malware, spyware, etc.).
- Altering a communication of another individual without proper authorization.
- Altering existing information technology without proper authorization.
- Failing to provide the key to encrypted information or passwords to accounts that are needed during an investigation of irresponsible use.
- Intentionally wasting information technology resources, including central processing unit time, storage, network capacity, printing resources, and related supplies.
- Denying access by another individual to information or information technology to which they are authorized.
Using information technology for non-KCTCS-related purposes on a routine or extended basis.

Creating or encouraging communications which may overload the communication network, including unapproved mass emails, “spam”, “chain letters”, and indiscriminate use of “reply to all”.

**Courteous Use**
- Using information technology to advance a personal opinion (except where allowed by free-speech, in which case it must be clearly noted that the opinion does not necessarily reflect the opinion of KCTCS or where authorized in writing by the KCTCS Vice President primarily responsible for Institutional Advancement and Communication).
- Making allegations of irresponsible acts by others in bad faith, i.e., with an intent to deceive.

### 4.2.5.6.2 Potential Implications of Non-Compliance Regarding Use of Information and Information Technology

For a student found to have made irresponsible use of information or information technology, the consequences shall be appropriate disciplinary action up to and including, but not limited to, expulsion.

For an employee found to have made irresponsible use of information or information technology, the consequences shall be disciplinary action as appropriate, up to and including, but not limited to, termination.

In addition, KCTCS may require the individual to reimburse KCTCS for the computing and personnel charges incurred in the investigation of violation of the rules, including compensation of staff hours and costs for external services provided.

As appropriate, an employee may receive additional training related to the use of information or information technology, be reassigned to another position or other duties in which the employee will not be responsible for using the particular information or information technology, and/or have all or part of their access to information or information technology changed or revoked.

Violations of KRS Chapter 434.840 through 434.860 (*Unlawful access to a computer*) may be referred to the Commonwealth Attorney or the police for investigation and/or prosecution. Similarly, violations of 18 U.S.C. Sec. 1030 (*Computer Fraud and Abuse Act*) may be referred to the Federal Bureau of Investigation.

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**Recommended by**

President, KCTCS

**Date**
4.2.6 Information and Information Technology Policy for Security Breaches and Suspected Security Breaches

This policy applies to data in electronic form and not to hard copies of same.

4.2.6.1 Definitions

Security Breach means when unencrypted confidential and restricted information of an individual is reasonably believed to have been acquired by an unauthorized person. Acquisition of Personal Information by a KCTCS employee or agent for bona fide KCTCS business purposes does not constitute a Security Breach, provided that the Personal Information is not used or subject to further unauthorized disclosure.

Security Breach Coordinator, for purposes of this Policy, is the individual or functional position to whom suspected Security Breaches are reported and with overall responsibility for ensuring compliance with this Policy, by his/her respective KCTCS college or functional area.

Suspected Security Breach means when a System containing Personal Information is, among other possibilities, lost or stolen, accessed in unauthorized fashion or infected by a virus or worm, but it is not yet known whether the Personal Information has been compromised to meet the level of a Security Breach.

System, for purposes of this policy, is any computer or computing device, including, but not limited to, desktops, laptops, PDAs, removable media such as CDs, USB flashdrives or iPods used as storage devices.

4.2.6.2 Responsibilities and Duties

College Presidents and KCTCS Vice Presidents must designate a Security Breach Coordinator and ensure that that individual reads this Policy and understands his/her responsibilities thereof. Changes to a designated Security Breach Coordinator must be approved by the appropriate official and communicated to system-level Information Security Officer.

Security Breach Coordinators are responsible for:

- Ensuring that all Suspected Security Breaches within their respective college, division or unit are investigated and reported to the KCTCS Chief Information Officer.
- Acting as liaison between their respective college, division or unit and the system-level Information Security Officer to facilitate investigation of such Suspected Security Breaches.
- Making arrangements for implementing notification requirements, including the actual distribution of notification letters or emails and the setting up of a hotline for inquiries if appropriate.

Other related duties and responsibilities may be assigned to a Security Breach Coordinator as deemed necessary.
KCTCS Chief Information Officer is the designated KCTCS authority responsible for:
- Reporting all Security Breach incidents, in writing, to the KCTCS President, KCTCS Chancellor, KCTCS Vice President primarily responsible for Institutional Advancement, KCTCS legal services, and their ultimate resolution.
- Making a final determination as to whether the Suspected Security Breach is an actual Security Breach, based on the recommendation from the system-level Information Security Officer.
- As appropriate, may also report Suspected Security Breaches to KCTCS President, KCTCS Chancellor, KCTCS Vice President primarily responsible for Institutional Advancement, KCTCS legal services where a decision has been made not to notify.

System-level Information Security Officer is responsible for:
- Ensuring that the Security Breach incident response process is followed;
- Ensuring that system wide and, if applicable, college notification procedures are followed; and
- Coordinating with appropriate KCTCS officials and personnel, to analyze and recommend, in writing, to the KCTCS Chief Information Officer, whether a Suspected Security Breach is an actual Security Breach requiring notification.

4.2.6.3 Notification Requirements

In the event of a Security Breach, KCTCS must provide notification of the breach to those individuals whose unencrypted confidential and restricted information Personal Information is reasonably believed to have been acquired by an unauthorized person. Notification must occur without unreasonable delay, except:
- When law enforcement agency has determined that notification will impede a criminal investigation (in this case, notification must occur as soon as the law enforcement agency determines that it will not compromise the investigation), or
- In order to discover the scope of the Security Breach and restore the integrity of the System.

4.2.6.4 Security Breach Incident Response Process

Any instance of a Suspected Security Breach must be reported immediately to the appropriate Security Breach Coordinator who will initiate the incident response process described below.

Initial Reporting and Analysis

<table>
<thead>
<tr>
<th>RESPONSIBILITY</th>
<th>ACTION</th>
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<tbody>
<tr>
<td>Security Breach Coordinator</td>
<td>When notified of a Suspected Security Breach, ensures that appropriate action is expeditiously taken to secure the affected System.</td>
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<tr>
<td></td>
<td>Immediately notifies the KCTCS Chief Information Officer.</td>
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<td></td>
<td>Immediately notifies the KCTCS legal services if criminal activity is suspected to be responsible for the Security Breach.</td>
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<tr>
<td>KCTCS Chief</td>
<td>As appropriate, notifies the KCTCS President, KCTCS Chancellor, KCTCS</td>
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### KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

<table>
<thead>
<tr>
<th>Information Officer</th>
<th>Vice President primarily responsible for Institutional Advancement, KCTCS legal services. Notifies the System-level Information Security Officer.</th>
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</table>
| System-level Information Security Officer | In conjunction with the Security Breach Coordinator:  
- Works with appropriate technical staff to complete technical analysis of the affected System.  
- Works with KCTCS legal services and other staff as appropriate to recommend to the KCTCS Chief Information Officer as to whether this is an actual Security Breach or not. The analysis leading to the recommendation shall be documented in writing. |
| KCTCS Chief Information Officer | Based on the recommendation from the System-level Information Security Officer, makes a final determination as to whether this is a Security Breach or not. |

### Security Breach Notification
If a Security Breach has occurred, the following steps should be taken:

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<th>RESPONSIBILITY</th>
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| Security Breach Coordinator  | In conjunction with the System-level Information Security Officer, works with the KCTCS Chief Information Officer, KCTCS Vice President primarily responsible for Institutional Advancement, and KCTCS legal services to:  
- Develop an appropriate notification letter.  
- Determine a substitute method of notice if sufficient contact information is not available for direct hard copy or email notice. |
| KCTCS Chief Information Officer | In consultation with the KCTCS Chancellor, KCTCS Vice President primarily responsible for Institutional Advancement, KCTCS legal services, and the appropriate college official whose college or unit experienced the Security Breach, determines the most appropriate college official to sign the notification letter. |
| Security Breach Coordinator  | Arranges for the logistics to implement notification. |

The KCTCS Chief Information Officer will notify the KCTCS President of the final disposition of the Security Breach incident, including a description of the incident, the response process, the notification process, and the actions taken to prevent further breaches of security.

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8-6-08; 11-2-10  
8-6-08; 11-2-10  
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8-6-08; 11-2-10  
8-6-08; 11-2-10

Approval Date  
Date(s) of Last Review  
Date(s) of Last Revision  
(Include all dates in chronological order)

(SIGNED)  
11-2-10  
(SIGNED)  
11-2-10  
Recommended by  
Date  
President, KCTCS  
Date
4.3.4 Kentucky Community and Technical College Program Advisory Committees

The Program Advisory Committee is an advice-giving body assisting the program in meeting the needs of the community in a manner consistent with existing college regulations and within the stated philosophical purposes of the college.

In this context the committee serves in an advisory capacity to the faculty and administration in order that the program may reflect the needs of the service area in relation to the capabilities of graduates of the college. It works directly with the program coordinator and other faculty and staff members in the specified program.

Advisory committees are required for all occupational/technical programs.

A. Membership

The membership of these committees shall be representative of the businesses and industries for which the program provides education and training. Members shall represent the various levels of management and labor of the business or industry. A majority of the members must be external to the institution.

A student representative shall serve as an appointed member of the committee.

B. Meetings/Minutes

Program advisory committees shall have at least two (2) meetings per year. Minutes to document activities and recommendations will be maintained and distributed for all program advisory committee meetings.

C. Responsibilities

The program advisory committees shall counsel, advise, and consult with the program staff on:

1. Implementation of curriculum;
2. Safety;
3. Equipment needs;
4. Projects for student learning;
5. Advocacy of the program in the community;
6. Recruitment of students;
7. Work-based learning;
8. Job placement of students;
9. Community resources available; and
10. Information regarding the program and improvement thereof
D. Appointment

1. Names for potential appointments may be recommended by the program faculty through appropriate administrative channels.

2. The selected member(s) will receive a letter of appointment from the college president/chief executive officer or designee to the committee on which she/he is to serve.

3. Terms of appointment will be for two years unless otherwise specified with reappointment possible by mutual agreement.
4.4 Policy Statement on the Accounting and Measurement of Workforce and Continuing Education

KCTCS is committed to providing life-long learning opportunities to improve the quality of life and employability of the citizens of the Commonwealth. KCTCS serves as Kentucky’s primary provider of workforce training to meet the needs of existing and new businesses and industries; remedial and continuing education; and short-term, customized training for business and industry. In response to this mission, KCTCS colleges offer a wide variety of services to the community and individual citizens through Continuing Education programs. These programs contribute to the economic viability of the community as well as providing opportunities to the individual citizen to enhance skills both personally and professionally.

Each college must establish an identifiable unit for continuing education activities with designated professional staff to plan and administer continuing education programs. The responsibilities of the office must be clearly stated by a mission statement outlining the functions and philosophies of the continuing education unit, which guide the operation.

4.4.1 Continuing Education

4.4.1.1 Definition

Any structured educational activity sponsored by the college for the personal and professional development of individuals. In its broadest sense, continuing education encompasses all ages, educational levels, and topics. The college structures specific learning activities, which may be targeted to a particular age group, at a defined level and scope of instruction, and taught by a knowledgeable instructor(s). Participants enroll for a specific offering whether short course, workshop, special training program, or other structured learning activity. KCTCS colleges offer two types of continuing education activities:

1. Workforce Development (WD) – training and education designed to improve an individual’s professional or workplace skills. These courses may award individual CEUs or academic credit by meeting the criteria as established by the Commission on Colleges. These courses include customized training, regulatory training, apprenticeship, professional development, skills upgrade, and professional licensure/certification.
2. Community Education (CE) – personal and community development activities that are educational programs organized to provide enrichment to individuals in subjects of social awareness or personal interest. These courses include leisure, personal growth and age specific programs.

4.4.1.2 Measurement and Criteria

Continuing Education or workforce programs may award academic credit, Individual Continuing Education Units (CEUs), or Institutional CEUs. A course should not award both individual CEUs and academic credit unless the purpose, program criteria, and integrity of each unit are maintained. Academic credit and/or CEUs shall be assigned to programs in advance and awarded to individual participants who meet the standards which have been predetermined for satisfactory completion.
The guidelines for awarding academic credit are based on the Commission on Colleges *Principles of Accreditation*. The guidelines for awarding individual and institutional CEUs are based on the Commission on Colleges *The Continuing Education Unit: Guidelines*.

### 4.4.1.2.1 Academic Credit

A. Colleges must adhere to the KCTCS Guidelines for Workforce Credit when awarding academic credit for workforce courses. Courses may be offered for credit by using one of the following options:

1. **Existing Courses.** If the workforce course is delivered using the same competencies and number of contact hours as an existing course listed in the KCTCS catalog, it is established as a section of an established course.

2. **Workforce Special Topics (XXX168 & XXX169)**
   Workforce Special Topics courses will be used for customized business and industry training (individual company, consortium, or training network), individuals seeking skills upgrade/workforce training, review courses for professional/career certifications and licensure, and courses required for professional/career certifications and licensure renewal. These courses will be held to the same standards (such as faculty credentials, faculty approval of the course, etc.) required by SACS and KCTCS.

   1. **XXX 168** - Special topics for each KCTCS program area will be offered in response to local workforce needs. Topics may vary and the course may be repeated with different topics, with a minimum of .4 and no more than 12 credit hours of XXX168 applicable toward degree completion. This course will be offered on a pass/fail basis. Students may elect to switch from pass/fail to audit at any time during the course. Laboratory: variable.

   2. **XXX169** - Selected topics in business and industry will be offered in response to local workforce needs. This course awards individual letter grades. Topics may vary and the course may be repeated with different topics a minimum of .4 and no more than 12 credit hours of XXX169 applicable toward degree completion.

3. **Other Special Topics** courses will be used for targeted audiences other than business and industry. The college will identify and/or establish the appropriate academic course, module, or Special Topics course that aligns to the appropriate KCTCS program for each specific audience. These courses will be held to the same standards (such as faculty credentials, faculty approval of the course, etc.) required by SACS and KCTCS.

4. **BIT 197 & 199**
   Special topics in business and industry will be offered in response to local workforce needs. This course awards individual letter grades. Topics may vary and the course may be repeated with different topics. BIT 197&199 will be used for courses that offer .2 and .3 credit hours. These courses will be held to the same standards (such as faculty credentials, faculty approval of the course, etc.) required by SACS and KCTCS. Pre-requisites: consent of instructor.

5. **BIT 194 (formerly BIT198) & 196**
   Special topics in business and industry will be offered in response to local workforce needs. Topics may vary and the course may be repeated with different topics, with no more than 12 credit hours of BIT194/196 applicable toward degree completion.
BIT194 will be used for topics that have .1 to .3 credit hours and BIT196 will be used for topics that have .2 and .3 credit hours. This course will be offered on a pass/fail basis. Students may elect to switch from pass/fail to audit at any time during the course. These courses will be held to the same standards (such as faculty credentials, faculty approval of the course, etc.) required by SACS and KCTCS. Laboratory: variable. Pre-requisite: consent of the instructor.

B. Courses awarding academic credit will adhere to the following measurement:
1. For lecture courses, 15 contact hours equals 1 credit hour (Example: 7.5 contact hours = .5 credit hours)
2. For converting lab hours to credit hours, consult with the Chief Academic Officer.
3. For the Fast Track version, courses may be delivered in an accelerated version by documenting competencies through a pre-test to demonstrate prior achievement and by using a post-test to verify attainment of the skill level required for the course.

C. All individuals receiving academic credit will be enrolled as a nondegree seeking student and a permanent transcript will be generated and maintained by the Office of Student Affairs and be available upon request. As with all student records, the institution should have a written policy on the retention and release of permanent CEU transcripts.

4.4.1.2.2 Individual Continuing Education Units (CEUs)

A. Colleges must adhere to the Commission on Colleges (SACS) guidelines to award individual CEUs. Continuing Education courses awarding individual CEUs shall meet the following criteria:
1. The noncredit activity is planned in response to an identified educational need for a specific target population.
2. There is a clear, concise written statement of objectives or competencies shared with learners prior to and during the activity.
3. There are qualified instructional personnel involved in a systematic and sequential process of fulfilling purposes as stated in learning objectives.
4. The content and instructional methodologies are consistent with outcomes, are sequenced, and are structured to provide opportunity for the learner to participate and receive feedback.
5. Satisfactory completion requirements, including awarding partial credit, are established by the course coordinator and others responsible for the program, and are communicated to participants prior to their participation. Completion standards may be based on a demonstration of learning, predetermined attendance, or a combination of performance and attendance. Only those who meet standards earn CEUs.
6. Any assessment or measurement of an individual's performance is predetermined during planning and is measurable, observable, clearly stated, and focused on the learner's expected level of performance. Results of formal assessments should be entered on the participant's CEU transcript with a copy maintained in the program file.
7. Evaluative procedures are utilized to measure the quality of the administration and operation of the continuing education activity. During the course of planning, a
process is established to evaluate major aspects of the continuing education experience, such as, organizational input; the design, content, content level, and operation; and the extent to which intended learning outcomes were achieved.

B. The continuing education unit (CEU) serves as the vehicle to measure and report continuing education activities. One CEU represents ten (10) contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction.

C. A permanent transcript of the activity will be generated and maintained by the Office of Student Affairs for each individual participating in the course and be available upon request. Permanent records must be maintained for all participants who qualify for the award of CEU, not just for those who request them.

4.4.1.2.3 Institutional Continuing Education Units (CEUs)

A. Colleges must adhere to the Commission on Colleges guidelines to award institutional CEUs. Institutional CEUs, although not a matter of a student's permanent record, serve as a means of measuring and reporting learner participation in continuing education. Institutional CEUs are awarded to educational programs, which are organized to provide enrichment to individuals in subjects of social awareness or personal interest. Personal and community development educational activities award institutional CEUs and shall meet the following criteria:
   1. The activity is a planned educational experience of a continuing education nature for a diversified population (general public).
   2. The activity is a planned educational event and is sponsored by the academic or administrative unit of the institution best qualified to affect the quality of the program content and to select and approve the resource personnel utilized.
   3. Registration or certification of attendance is required for institutional reporting use.

B. Individuals who participate in such activities shall register but no individual CEUs shall be awarded and no individual transcript of involvement shall be maintained by the college. The determination of institutional CEUs for these activities shall be made by means of a registration list.

4.4.1.3 Continuing Education Program Files

A. A program file for Continuing Education activities that award either academic credit or individual CEUs shall be maintained in the college’s designated continuing office for at least seven years from the date of the course. These records should contain:
   1. Description of the program, including target group, contact hours, subject matter, etc.;
   2. Objectives/competencies of activity;
   3. Documentation of faculty qualifications (or where this documentation is maintained);
   4. A list of the participants, including certification of completion of course requirements; and
   5. Results of activity evaluation process.
B. A program file for Continuing Education activities that award institutional CEUs shall be maintained in the college’s designated continuing office for at least seven years from the date of the activity. These records shall contain:
   1. Description of the program;
   2. Documentation of faculty qualification (or where this documentation is maintained);
   3. A list of participants; and
   4. Total contact hours involved.

### 4.4.1.4 Certificates for Continuing Education

Individuals participating in continuing education programs for which individual CEUs are awarded shall be presented a certificate upon satisfactory completion of the program. The title of the program, date(s), contact hours of instruction, and the number of individual CEUs awarded shall be recorded on the certificate. The college may choose to award certificates of participation for those persons enrolled in Community Education programs; however, the face of these certificates bears no awarding of CEUs.

### 4.4.1.5 Continuing Education Reporting

A report of continuing education programs will be entered into the respective PeopleSoft program. The KCTCS Chancellor’s Office of Workforce and Economic Development will produce an annual report of continuing education activity for KCTCS.
4.5 Policy Statement on the Accounting and Measurement of Community Service Activities

KCTCS is committed to providing life-long learning opportunities to improve the quality of life of the citizens of the Commonwealth. KCTCS colleges offer a wide variety of services to the community and individual citizens through Community Service programs. These programs provide opportunities to the individual citizen to enhance their skills both personally and professionally.

4.5.1 Definition

KCTCS colleges have a responsibility for service across the broad spectrum of the community to meet those needs not met by formal degree or continuing education programs. Community service activities do not meet the criteria for awarding the individual or institutional CEU, yet require significant staff effort and institutional commitment. Representative community service activities include:

1. Serving on community boards, foundations, committees, commissions;
2. Workshop facilitation;
3. Forums and community meetings;
4. Delivering lectures or seminars;
5. Arranging fine arts events, cultural events and recreational events;
6. Professional assistance; and
7. Working with K-12 schools.

4.5.2 Community Service Measurement/Files/Reporting

For community service programs, the Chief Academic Officer shall maintain records of these activities. Records should include activity description, list of faculty/staff involved, headcount of participants, and total contact hours involved. The data will be reported annually to the KCTCS Chancellor’s Office.
4.9.1 KCTCS Strategic Planning Process and Plan

4.9.1.1 KCTCS Strategic Planning Process

A. Activities for developing the KCTCS Strategic Plan may include an environmental scan, surveys, focus groups, and/or other methods of analysis.

B. Involvement in the development of the KCTCS Strategic Plan shall include the KCTCS Board of Regents; the KCTCS President’s Leadership Team; faculty, students, and staff; foundation board members; College Boards of Directors; and external stakeholders.

C. The KCTCS strategic planning process shall align with the KCTCS budget cycle, including the fiscal year and the biennial budget development.

4.9.1.2 KCTCS Strategic Plan

A. Goals, reflective of the KCTCS mission and other mandates found in the Kentucky Postsecondary Education Improvement Act of 1997 (as amended), shall be determined from the analysis of current statuses and future trends influencing KCTCS and postsecondary education, in general.

B. Progress toward accomplishing a goal may be determined through core indicators, measures and targets. An indicator is a performance category that describes an outcome of a goal; a measure is a statistic used to define an indicator; and a target is a performance objective or standard identified for a measure. Progress toward priority targets will be reported regularly to the KCTCS Board of Regents.

C. The KCTCS Board of Regents shall approve the KCTCS Strategic Plan.

D. An action plan, based on the KCTCS Strategic Plan and including input from all system office departments, shall be ongoing and include strategies for successfully meeting KCTCS goals.

4.9.2 KCTCS College Strategic Planning Process and Plan

4.9.2.1 KCTCS College Strategic Planning Process

A. The KCTCS strategic goals shall serve as the foundation for each college strategic plan.

B. Activities for developing a KCTCS college strategic plan may include an environmental scan, surveys, focus groups, and/or other types of analysis.

C. A KCTCS college strategic plan shall be developed in coordination with local employers, civic leaders, campus constituents, and other postsecondary institutions in the region and that is consistent with the strategic agenda of the Kentucky General Assembly.

4.9.2.2 KCTCS College Strategic Plan
A. College strategic goals shall be aligned with the KCTCS strategic goals.

B. Progress toward accomplishing a goal may be determined through core indicators, measures and targets. An indicator is a performance category that describes an outcome of a goal; a measure is a statistic used to define an indicator; and a target is a performance objective or standard identified for a measure.

1. Indicators may include productivity/effectiveness, professional development, remediation/developmental education, student engagement, affordability, completers/attainers, enrollment, retention, transfer, employment diversity, enrollment diversity, global awareness, business/industry services, community stewardship, licensure/certification, and workforce development.

2. College measurements of progress shall be determined at both the system and local levels.
   a. College may have performance targets in addition to those established by the system strategic plan.
   b. College measures will include annual institution program review.

3. The KCTCS President and college president/chief executive officer shall negotiate specific indicators and targets to be used in the college president/chief executive officer’s annual evaluation.

C. The board of directors for each KCTCS college shall approve and implement the strategic plan.

D. A copy of the college’s approved strategic plan shall be submitted to the KCTCS Office of Institutional Advancement.

E. A college-wide action plan shall include strategies for meeting the college’s strategic goals and be coordinated with the development of the college’s institutional effectiveness annual plan and subsequent report.

4.9.3 KCTCS Institutional Effectiveness Organizational Responsibilities

A. The KCTCS Office of Institutional Advancement shall:
   1. Coordinate system-wide strategic planning and serve as a resource to individual institutions as they develop an annual strategic plan.

   2. Evaluate, in concert with the System leadership, the implementation and achievement of goals through measures of progress.

   3. Serve as a repository for copies of each college’s strategic plan.
4. Coordinate the linkages of outcomes to the planning and budgeting process.

B. The KCTCS Office of Technology Solutions shall:
   1. Ensure the timely availability and integrity of data on human resources, finances, students, facilities, and programs to meet information needs for institutional decision-making.
   2. Work closely with each institution regarding availability of and access to institutional data for sector management and effectiveness needs.

C. The KCTCS Chancellor shall:
   1. Coordinate academic program plans and program approvals with the KCTCS and with external agencies.
   2. Review new program proposals.
   3. Maintain an updated inventory of degree programs and accredited degree programs.

D. The KCTCS Office of Policy Research and Analysis shall:
   1. Coordinate external reporting on students, faculty, finances, and staffing to the Council on Postsecondary Education, other state government offices, and federal agencies. This includes all reports required by the Kentucky Council on Postsecondary Education reporting guidelines, US Dept. of Education’s National Center for Educational Statistics database (IPEDS database), and the National Student Clearinghouse.
   2. Provide support to the colleges as they complete reports related to accreditation and major federal and state agency funding.
   3. Provide executive decision support information to the System leadership.
   4. Provide the KCTCS President with status reports on strategic plan outcomes.

E. The KCTCS college presidents/chief executive officers shall:
   1. Identify and appropriately staff an institutional effectiveness function.
   2. Ensure that reviews and evaluations of educational and support programs and units are conducted in an appropriate and timely manner.
3. Provide the KCTCS President with status reports on the implementation and achievement of the KCTCS core indicators, measures, and targets, including ones selected as a part of the college president’s annual evaluation, as requested.

4. Be responsible for the development of the strategic plan which includes elements of institutional effectiveness.
4.10 Policy for Consortial Relationships and Contractual Agreements  
(Credit Courses or Programs)

The Kentucky Community and Technical College System recognizes the right of a member college to enter into consortial relationships and contractual agreements for the purpose of offering credit courses or programs provided institutional and programmatic (if applicable) accreditation standards are met. Agreements among KCTCS colleges must meet the accreditation requirements of SACS (and COE, if applicable). Agreements may be entered into with KCTCS colleges and other educational institutions or non-collegiate educational partners such as correctional facilities. All consortial and contractual agreements will be evaluated annually.

4.10.1 Procedure for Credit Instruction

1. A Memorandum of Agreement will address and follow appropriate accreditation guidelines for consortial agreements/contracts with regionally accredited or non-accredited institutions.
2. College presidents/chief executive officers of participating institutions or Chief Academic Officers as their designees will approve and sign the agreement.
3. A comprehensive list of MOAs, including initial date and dates of subsequent reviews, is submitted to the Office of Academic Affairs by September 1 each year, and updated in January if modified since September.*

4.10.2 Procedure for Clinical Agreements

1. Standard memoranda of agreement (MOAs) may be initiated, approved and implemented locally under the following conditions:
   a. The standard Memorandum of Agreement for Program Clinical Practice Affiliations form is used with NO modifications.
   b. The college president/chief executive officer or the Chief Academic Officer as the designee signs the MOA indicating approval and verifying that it is the standard agreement with no modifications.
   c. The MOA is reviewed and updated annually.
   d. Copies of all standard MOAs are maintained on file at the college.
   e. A comprehensive list of MOAs, including initial date and dates of subsequent reviews, is submitted to the Office of Academic Affairs by September 1 each year, and updated in January if modified since September.*

2. Standard memoranda of agreement may be initiated and approved by the college president/chief executive officer or the Chief Academic Officer as the designee under the following conditions:
a. All non-standard forms are reviewed by KCTCS legal counsel prior to being signed by the college president/chief executive officer or the Chief Academic Officer as the designee.

b. The college president/chief executive officer or the Chief Academic Officer as the designee signs the non-standard MOA verifying review and approval by KCTCS legal counsel.

c. Each MOA is reviewed and updated annually.

d. Copies of all non-standard MOAs are maintained on file at the college.

e. A comprehensive list of MOAs is submitted to the Office of Academic Affairs by September 1 each year, and updated in January if modified since September.*

*A comprehensive list of all standard and non-standard clinical affiliation agreements will be maintained in the Office of Academic Affairs at the System Office.

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(SIGNED) 11-20-09  (SIGNED) 11-20-09

Recommended by Date Recommended by Date

President, KCTCS Date
4.11.1 Criteria for the Approval of a New Credit Certificate Program

KCTCS colleges’ ability to meet the workforce development and training needs of communities as they evolve and change depends on their capacity to respond to those needs. As workplace requirements differ across industries and communities, so should the credentials awarded to those completing prescribed programs of study. Increasingly, there is a demand for educational programs or “modules” shorter than traditional diploma and associate degree programs. While the approval processes for new certificate programs may vary, they will undergo the same development process as other programs.

Note:
1. In order to be considered eligible for federal financial aid, generally certificates must be 15 weeks in length and 16 credit hours, in the academic year.
2. In addition, federal regulation 34 CFR 668.8(c)(3) provides that in order for a non-degree certificate program to be eligible for federal student aid funds, the program must prepare students for gainful employment in a recognized occupation.
3. As regards Perkins funds, Public Law 105-332 states, “The purpose of this Act (Carl D. Perkins Vocational and Applied Technology Education Act) is to develop more fully the academic, vocational, and technical skills of secondary students and postsecondary students who elect to enroll in vocational and technical education programs.”

4.11.1.1 Features and Characteristics of Certificate Programs

- Organized program of study consisting of courses designed to meet a defined set of competencies.
- Qualifies students to take external licensure, vendor-based, or skill standards examinations in the field. If standardized external exams are not available in the field of study, prepares students at skill levels expected of employees in an occupation found in the local economy.
- Be relevant to the requirements of a diploma or associate in applied science degree in the same or a related field of study.
- May contain general education courses emphasizing the skills identified in the SCANS report that are critical to entry-level workforce success for persons prepared at the certificate level, and associated with the diploma or associate degree program.

The Secretary’s Commission on Achieving Necessary Skills (SCANS) identified three foundation skills and five competencies necessary for success in the workplace:

- Foundation Skills
  - Basic Skills – reading, writing, arithmetic and mathematics, listening, and speaking;
  - Thinking Skills – thinking creatively, making decisions, solving problems, knowing how to learn, and reasoning;
  - Personal Qualities – individual responsibility, self-esteem, sociability, self-management, and integrity/honesty.

- Competencies
  - Resources – allocating time, money, materials, space, and staff;
♦ Interpersonal Skills – working on teams, teaching others, serving customers, leading, negotiating, and working well with people from culturally diverse backgrounds;
♦ Information – acquiring and evaluating data, organizing and maintaining files, interpreting and communicating, and using computers to process information;
♦ Systems – understanding social, organizational, and technological systems, monitoring and correcting performance, and designing or improving systems;
♦ Technology – selecting equipment and tools, applying technology to specific tasks, and maintaining and troubleshooting technologies.

4.11.1.2 Certificate Identification

The primary purpose and features of certificate programs of study are to provide marketable skills. Given the numerous ways that the term “certificate” is used within KCTCS and by other agencies, this program of study should have a unique, readily identifiable label.

4.11.1.3 Program Length

Certificate programs containing the features and characteristics outlined above should generally range from 12 credit hours to 30 credit hours in length. Proposals for programs with fewer than 12 credit hours or more than 30 credit hours should include a compelling rationale for either a shorter or longer program.

4.11.1.4 Program Records and Data Reporting

KCTCS colleges now use two methods of recording programs. CPE and all Kentucky institutions use the Classification of Instructional Programs (CIP) taxonomy titles and numbering to organize and describe educational programs. This coding system is used to report program data to the National Center for Education Statistics (NCES) through the Integrated Postsecondary Education Data System.

The second method of recording programs uses the Dictionary of Occupational Titles (DOT) taxonomy developed by the Department of Labor to organize and describe each occupation found in the workforce. Technical colleges have used the coding system from the DOT to associate instructional programs with occupations.

CIP and DOT classification schemes are designed to serve different purposes. Certificate programs will be assigned the appropriate CIP and DOT codes and recorded on the KCTCS program inventory.
4.11.1.5 Student Assessment and Placement

In conformance with the KCTCS Student Assessment and Placement Policy, the expected entry-level academic achievement must be identified for each new certificate. For some certificates, it may be appropriate to identify academic skills at the same level as is required for associate degrees.

4.11.1.6 Approval and Evaluation Processes

Faculty at the proposing college develop KCTCS Certificates using the same processes as for any other new program. Approval proceeds according to the program approval process with review by the KCTCS Chancellor, approval by the KCTCS President, and ratification by the KCTCS Board of Regents. Once approved, Certificate programs are subject to the same evaluation and review processes as any other academic program.

Submission Categories

Certificates may be derived from existing diploma or associate degree programs, developed in conjunction with a new diploma or degree program, or developed independent of any other program.

❖ Submission Category A
  ➢ Certificates not associated with a diploma or associate degree program
  ➢ Certificates associated with a diploma or associate degree program which was implemented more than two years ago and which has not undergone a system-level program review in the past two years

❖ Category A – Documentation
  • Local or regional demand for a program of study of this length
  • Curriculum, including identification of new courses
  • Program competencies
  • External licensing or certifying entity
  • Relationship to new or existing diploma or associate degree program; requests for stand-alone certificates must include compelling justification
  • Collaboration with other institutions in the community in developing and delivering the curriculum
  • Anticipated enrollment and completions for next three years
  • Projected implementation date
  • Resources – faculty, learning resources, facilities, equipment

❖ Submission Category B
  ➢ Certificates associated with a diploma or associate degree program implemented within the past two years
  ➢ Certificates associated with a diploma or associate degree program that has had a program review within the past two years
Category B – Documentation
- Local or regional demand for a program of study of this length
- Curriculum, including identification of new courses
- Program competencies
- External licensing or certifying entity, if different from diploma or associate degree
- Projected implementation date

4.11.1.7 KCTCS Certificate – Expedited Preliminary Approval

The KCTCS Chancellor is authorized to expedite the initiation of a new Certificate providing that the following conditions are met:
1. First-level curriculum approval processes are completed:
   - college division, college curriculum review committee, and college faculty;
2. Full curriculum approval process is completed within four months following the KCTCS Chancellor’s approval:
   - peer review by the Senate Curriculum Review Committee and the Senate Council; final approval by KCTCS college(s).
3. Unless the Senate curriculum review process and final curriculum approval process by KCTCS college(s) is completed, the certificate shall be offered only as a one-time pilot.
4. Colleges must be approved to offer the certificate as specified in section 4.11.1.5 – Approval and Evaluation Processes.

Note: Upon recommendation of the KCTCS Chancellor and approval by the KCTCS President, under exceptional circumstances, the pilot may be extended for an additional cycle.
4.11.2 Kentucky Community and Technical College System
Review of Certificate Programs for Academic Credit
Proposed by Universities

The ability of institutions to meet the educational needs of the workplace necessitates the
development of instructional modules that respond to those needs. Increasingly, completion of
viable instructional curricula less than two years in length is demanded. House Bill 1 not only
recognizes the importance of these curricula, it emphasizes the need to coordinate offerings
among the institutions of the postsecondary education community by assigning review
responsibility to KCTCS. This review will assure the coordination of programs and services
needed by local communities. Accordingly, this document presents criteria for the review of
university programs below the associate degree level. These criteria are compatible with those to
be used for the approval of instructional programs at the same level within KCTCS.

4.11.2.1 Features and Characteristics of Certificate
Programs

- Organized program of study consisting of courses designed to meet a defined set of
  competencies.

- Qualifies students to take external licensure, vendor-based, or skill standards examinations in
  the field. If standardized external exams are not available in the field of study, the program
  prepares students at skill levels expected of employees in an occupation found in the local
  economy.

- Be relevant to the requirements of a diploma or associate in applied science degree in the
  same or a related field of study.

- May contain general education courses emphasizing the skills identified in the SCANS report
  that are critical to entry-level workforce success for persons prepared at the certificate level,
  and associated with the associate degree program.

The Secretary’s Commission on Achieving Necessary Skills (SCANS) identified three
foundation skills and five competencies necessary for success in the workplace:

- **Foundation Skills**
  - Basic Skills – reading, writing, computing, listening, and speaking;
  - Thinking Skills – creative thinking, decision making, problem solving, knowing how to learn, seeing things in the mind’s eye, and reasoning;
  - Personal Qualities – individual responsibility, self-esteem, sociability, self-
    management, and integrity/honesty.

- **Competencies**
  - Resources – allocating time, money, materials, space and staff;
  - Interpersonal Skills – working on teams, teaching others, serving customers,
    leading, negotiating, and working well with people from culturally diverse backgrounds;
Information – acquiring and evaluating data, organizing and maintaining files, interpreting and communicating, and using computers to process information;

Systems – understanding social, organizational, and technological systems, monitoring and correcting performance, and designing or improving systems;

Technology – selecting equipment and tools, applying technology to specific tasks, and maintaining and troubleshooting technologies.

4.11.2.2 Certificate Identification

The primary purpose and features of certificate programs of study are to provide marketable skills. Given the numerous ways that the term “certificate” is used among postsecondary education institutions and by other agencies, this program of study should have a unique, readily identifiable label.

4.11.2.3 Program Length

Certificate programs containing the features and characteristics outlined above should generally range from 12 credit hours to 30 credit hours in length. Proposals for programs with fewer than 12 credit hours or more than 30 credit hours should include a compelling rationale for either a shorter or longer program.

4.11.2.4 Program Records and Data Reporting

CPE and all Kentucky institutions use the Classification of Instructional Programs (CIP) taxonomy titles and numbering to organize and describe educational programs. This coding system is used to report program data to the National Center for Education Statistics (NCES) through the Integrated Postsecondary Education Data System. CIP codes will be assigned to each certificate program in consultation with CPE to assure consistent program identification across the state. To foster long-term cooperation across the state, all university certificate programs reviewed by KCTCS will be maintained in a certificate program data base.

4.11.2.5 Approval and Evaluation Processes

Faculty at the proposing university develop Certificates using the same processes as for any other new program. Approval proceeds according to the university’s program approval process with approval by the Board of Regents or Trustees following the KCTCS review process. A more detailed submission and review process is outlined below. Once approved, Certificate programs are subject to the same evaluation and review processes as any other academic program.

Submission Process:

- The Chief Academic Officer (CAO) of the proposing institution will submit a proposal for a new certificate program to KCTCS at least 60 days prior to course registration. A copy will also be sent to the CPE staff for their information.
- There will be a 30-day review period following receipt of the proposal for KCTCS to respond with support or opposition.
If KCTCS opposes the program, the CPE staff will review the matter and decide how best to resolve it. A final resolution will normally occur within 45 days of the original submission of the proposal.

If KCTCS does not oppose the proposal within the 30-day period, KCTCS will notify the proposing institution and CPE staff that the proposing institution may complete its internal development and approval process.

**Submission Categories**

Certificates may be derived from existing associate degree programs, developed in conjunction with a new associate degree program, or developed independent of any other program.

❖ Submission Category A
  ➢ Certificates not associated with an associate degree program
  ➢ Certificates associated with an associate degree program which was implemented more than two years ago and which has not undergone a program review in the past two years

❖ Category A – Documentation
  • Local or regional demand for a program of study of this length
  • Curriculum, including number of credit hours and identification of new courses
  • Program competencies
  • External licensing or certifying entity
  • Relationship to new or existing associate degree program; requests for stand-alone certificates must include compelling justification
  • Collaboration with other institutions in the community (either KCTCS or other universities) in developing and delivering the curriculum
  • Anticipated enrollment and completions for next three years
  • Projected implementation date
  • Resources – faculty, learning resources, facilities, equipment

❖ Submission Category B
  ➢ Certificates associated with an associate degree program implemented within the past two years
  ➢ Certificates associated with a diploma or associate degree program that has had a program review within the past two years
Category B – Documentation

- Local or regional demand for a program of study of this length
- Curriculum, including number of credit hours and identification of new courses
- Program competencies
- External licensing or certifying entity, if different from associate degree
- Projected implementation date

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EFFECTIVE FALL 2016

4.13 Kentucky Community and Technical College System Student Assessment and Placement Policy

Students enrolling in a college credit course for the purpose of earning credit applicable toward an educational credential who meet college readiness benchmarks as identified by the Council on Postsecondary Education’s College Readiness indicators may enroll in college-level coursework. In addition to the college readiness benchmarks included in the tables found in sections 4.13.1.1 and 4.13.2.3, the Council on Postsecondary Education recognizes a GED score of 165 or higher, a PARCC Level 4 or a Smarter Balanced Level 4 as indicators of college readiness with no developmental, co-requisite or supplemental coursework required in reading, writing, and quantitative reasoning (below college algebra). Students who do not demonstrate college or career readiness for their academic plan must remedy the identified skill deficiencies by enrollment in transitional education courses, entry-level courses with approved supplementary academic support, co-requisite courses, or approved college readiness intervention(s) within the first two terms of enrollment per Council on Postsecondary Education regulation 13 KAR 2:020. Enrollment shall continue consecutively until the designated academic skill levels are attained.

Students with 12 or more credit hours at the 100 level or above in general education courses with a 2.0 GPA are exempt from reading placement requirements and are considered college ready in reading. However, all students must meet individual course pre-requisites such as those for entry-level English and mathematics courses.

This assessment and placement policy specifically applies to all credential-seeking students, students who transition from non-credential seeking to credential seeking, and students who are undecided about their choice of program as of Fall 2016, except students in programs identified in Attachment 1.

4.13.1 General Provisions

Minimum placement scores in reading, English, and mathematics are included in each placement chart to indicate the level of academic skills required for placement in KCTCS courses and programs. Approved methods of assessment and placement are:

- Cumulative unweighted high school GPA at the end of first semester senior year
- ACT
- SAT
- ASSET (not be administered after November 30, 2016)
- COMPASS (not be administered after November 30, 2016)
- KYOTE
- TABE - A
- Wonderlic
- EdReady

Official scores on COMPASS and KYOTE placement tests given by the Kentucky Department of Education will be accepted by KCTCS for placement purposes consistent with the KCTCS-KDE COMPASS Data Exchange Memorandum of Agreement (2010).

Students scoring below the college readiness standards may be eligible for high quality basic skills instruction through Kentucky Adult Education. Students with college readiness scores below the benchmark can take the Test of Adult Basic Education (TABE) at the local KYAE Center to determine eligibility.
Students with disabilities may request accommodation consistent with the provisions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.
4.13.1.1 Associate Degree-Seeking Students

Opportunities exist for students to build their foundational skills necessary to demonstrate college readiness, including but not limited to co-requisite instruction, transitional coursework, intensive short-term bridge programs and other approved interventions. Refer to Attachment 3 for a list of approved interventions.

<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>COMPASS³ Algebra Domain</th>
<th>ASSET³</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>Wonderlic</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 or higher</td>
<td>610 or higher</td>
<td>83-99</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>MAT 170, MAT 175 or any course listed below</td>
</tr>
<tr>
<td>22 or higher</td>
<td>510 or higher</td>
<td>50-99</td>
<td>El. Alg. 46-55 Int. Alg. 43-55</td>
<td>CA 14 or higher</td>
<td>NA</td>
<td>Quantitative 330 or higher</td>
<td>MAT 150 or any course listed below</td>
</tr>
<tr>
<td>19-21</td>
<td>460 or higher</td>
<td>36-49</td>
<td>El. Alg. 41-45 Int. Alg. 39-42</td>
<td>CA 7-13 or MP 22 or higher</td>
<td>NA</td>
<td>Quantitative 288 or higher</td>
<td>MAT 150 with supplemental instruction¹; MAT 146, MAT 105, MAT 110, MAT 116, MAT 126 or any course listed below</td>
</tr>
<tr>
<td>18</td>
<td>31-35</td>
<td>El. Alg. 39-40 Int. Alg. 36-38</td>
<td>MP 18-21</td>
<td>NA</td>
<td>Quantitative 275 or higher</td>
<td>Intermediate Algebra or MAT 126 with supplemental instruction² or any course listed below</td>
<td></td>
</tr>
</tbody>
</table>

¹MAT 100 or other co-requisite support are options for supplementary academic support for MAT 150.

²Enrollment permitted only with concurrent supplementary instruction. College designated supplemental instruction must offer supplementary academic support, such as extra class sessions, additional labs, tutoring, and increased monitoring of students, beyond that usually associated with an entry-level course.

³COMPASS and ASSET will not be administered after November 30, 2016.
<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>COMPASS Algebra Domain&lt;sup&gt;3&lt;/sup&gt;</th>
<th>ASSET&lt;sup&gt;3&lt;/sup&gt;</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>Wonderlic</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td></td>
<td>El. Alg. 34-38</td>
<td></td>
<td>MP 15-21</td>
<td>NA</td>
<td>Quantitative 265 or higher</td>
<td>MAT 105, MAT 110, or MAT 116 with supplemental instruction&lt;sup&gt;2&lt;/sup&gt; or any course listed below</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Int. Alg. 33-35</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td>El. Alg. 27-38</td>
<td></td>
<td>MAT 055= MP 6-11</td>
<td>NA</td>
<td>Quantitative 250 or higher</td>
<td>MAT 062, MAT 065, MAT 075 or any course listed below</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Int. Alg. 26-35</td>
<td></td>
<td>MAT 065= MP 12-17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COMPASS Pre-algebra Domain&lt;sup&gt;3&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42-99</td>
<td></td>
<td>N. Skills 38-55</td>
<td></td>
<td>MP 12-17</td>
<td>10.2 -12.9</td>
<td>Quantitative 250 or higher</td>
<td>MAT 062, MAT 065, MAT 075 or any course listed below</td>
</tr>
<tr>
<td>24-41</td>
<td></td>
<td>N. Skills 25-37</td>
<td></td>
<td>MP 6-11</td>
<td>6.4-.10.1</td>
<td>Quantitative 200 or higher</td>
<td>MAT 055</td>
</tr>
<tr>
<td>Less than 24</td>
<td></td>
<td>N. Skills 23-24</td>
<td></td>
<td>MP 0-5</td>
<td>Less than 6.4</td>
<td>Quantitative less than 200</td>
<td>ARI 030 or Refer to Adult Basic Education</td>
</tr>
</tbody>
</table>

<sup>3</sup>Enrollment permitted only with concurrent supplementary instruction. College designated supplemental instruction must offer supplementary academic support, such as extra class sessions, additional labs, tutoring, and increased monitoring of students, beyond that usually associated with an entry-level course.

<sup>2</sup>COMPASS and ASSET will not be administered after November 30, 2016.
## READING COURSE PLACEMENT

<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>COMPASS³</th>
<th>ASSET³</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>Wonderlic</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT 20 or higher</td>
<td>470 Critical Reading</td>
<td>85-100</td>
<td>44-55</td>
<td>20 or higher</td>
<td>12.2-12.9</td>
<td>Verbal 325 or higher</td>
<td>No reading required</td>
</tr>
<tr>
<td>19</td>
<td></td>
<td>83-84</td>
<td>43</td>
<td>11.4-12.1</td>
<td>NA</td>
<td></td>
<td>Entry-level courses with concurrent enrollment in RDG 185, or supplemental instruction¹ ²</td>
</tr>
<tr>
<td>15 or higher</td>
<td>70-82</td>
<td>38-42</td>
<td>9.0-11.3</td>
<td>NA</td>
<td></td>
<td></td>
<td>RDG 030² or DRE 030²</td>
</tr>
<tr>
<td>12 or higher</td>
<td>49-69</td>
<td>32-37</td>
<td>5.5-8.9</td>
<td>NA</td>
<td></td>
<td></td>
<td>RDG 020</td>
</tr>
<tr>
<td></td>
<td>48 and below</td>
<td>No score available</td>
<td>5.4 and below</td>
<td>Verbal 179 or less</td>
<td></td>
<td>Refer to Adult Basic Education for Reading</td>
<td></td>
</tr>
</tbody>
</table>

¹Supplemental instruction, such as extra class sessions, additional labs, tutoring, RDG 100, and increased monitoring of students beyond that usually associated with an entry-level course, to be developed and provided at the college.

²After the completion of this option students can move to entry level courses without additional supplemental instruction. NOTE: Students with 12 or more credit hours at the 100 level or above in general education courses with a 2.0 GPA have met college readiness benchmarks in reading are exempt from reading placement requirements.

³COMPASS and ASSET will not be administered after November 30, 2016.
### ENGLISH COURSE PLACEMENT

<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>COMPASS</th>
<th>ASSET</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>Wonderlic</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 or above</td>
<td>Writing 430 or Critical Reading 450</td>
<td>74 -100</td>
<td>43-55</td>
<td>6 or higher</td>
<td>12.8-12.9</td>
<td>Verbal 310 or higher</td>
<td>ENG 101</td>
</tr>
<tr>
<td>14 or higher</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ENC 091</td>
</tr>
<tr>
<td>12 or higher</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ENC 090 or ARI 010</td>
</tr>
<tr>
<td>25 and below</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8.0 and below</td>
<td>Refer to Adult Basic Education for English</td>
</tr>
</tbody>
</table>

Note: ENG 100 or other co-requisite support are options for supplementary academic support for ENG 101.
4.13.1.2 Certificate and Diploma-Seeking Students

KCTCS has determined cut-off scores for placing students in certificate and diploma programs. Certificate and diploma programs with their cut-off scores are presented in Attachment 2 (COMPASS). Colleges may exempt students enrolled in selected certificate and diploma programs from assessment and placement in mathematics, English, and reading by using the waiver process described below.

4.13.2 Special Provisions

4.13.2.1 Students with Borderline Scores

KCTCS colleges, at their discretion, may place credential-seeking students who score below the system-wide standard into an entry-level college course, if the course offers supplementary academic support, such as extra class sessions, additional labs, tutoring, and increased monitoring of students, beyond that which is usually associated with an entry-level course. Students whose placement score is within one placement domain of the minimum admission level for the desired course or program may enroll in the course or program with evidence of the completed supplemental academic support. The completion of this supplemental academic support must be documented. Co-requisite course placement, where a student is placed in a supplementary course along with the credit-bearing course, is an evidence-based approach that is appropriate for students with borderline test scores.

4.13.2.2 Waivers

A college may establish procedures to exempt students from placement determinations based on assessment results. The procedure must include the conditions under which a waiver will be granted. The college must identify the students who are granted a waiver and the reason for the waiver. The college’s waiver policy must be on file in the college and system Academic Affairs Office.
4.13.2.3 Co-requisite Model ***

Some KCTCS colleges provide co-requisite model instruction options in addition to or in place of transitional coursework. In the co-requisite model of instruction, students are placed into a credit-bearing course while developmental needs are met through additional instruction concurrent to the course. The following tables allow for placement of students into credit-bearing courses and designated co-requisite support for those colleges offering such options. KCTCS colleges may develop similar placement models for co-requisite instruction the purpose of research. College models should be documented with the Vice Chancellor of Academics Office and data of student success shared within the colleges. Research findings will be used to determine future policy for assessment and placement for the system.

### COURSE PLACEMENT FOR CO-REQUISITE COURSES

#### Quantitative Reasoning Placement Table

<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>H. S. GPA*</th>
<th>Wonderlic Quantitative</th>
<th>EdReady**</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 or higher</td>
<td>610 or higher</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>MAT 170, MAT 175 or any course listed below</td>
</tr>
<tr>
<td>22 or higher</td>
<td>510 or higher</td>
<td>CA 14 or higher</td>
<td>NA</td>
<td>3.0 or higher</td>
<td>330 or higher</td>
<td>TBA</td>
<td>MAT 150 or any course listed below</td>
</tr>
<tr>
<td>19 or higher</td>
<td>NA</td>
<td>CA 7-13 or MP 22 or higher</td>
<td>NA</td>
<td>NA</td>
<td>275 or higher</td>
<td>TBA</td>
<td>MAT 150 w/co-requisite, or MAT 105, MAT 110, MAT 116, MAT 126, MAT 146 or any courses listed below</td>
</tr>
<tr>
<td>15 or higher</td>
<td>NA</td>
<td>MP 18-21</td>
<td>NA</td>
<td>NA</td>
<td>230 – 314</td>
<td>TBA</td>
<td>MAT 146 w/co-requisite or MAT 126 w/co-requisite or any courses listed below</td>
</tr>
<tr>
<td>12 or higher</td>
<td>NA</td>
<td>MP 12 – 17</td>
<td>6.4 or higher</td>
<td>NA</td>
<td>199 – 229</td>
<td>TBA</td>
<td>MAT 105 w/co-requisite, MAT 110 w/co-requisite, or MAT 116 with co-requisite</td>
</tr>
<tr>
<td>11 or less</td>
<td>NA</td>
<td>MP 11 or less</td>
<td>6.3 or less</td>
<td>NA</td>
<td>198 or less</td>
<td>TBA</td>
<td>Transitional Course or Alternate Format: ABE, Boot camp, etc.</td>
</tr>
</tbody>
</table>

*Unweighted High School GPA at the end of the fall semester of the senior year; scores will be adjusted as data become available.

**Under development**--EdReady scores will be adjusted as data become available.

*** The corequisite policy outlined here is for pilot purposes at the colleges who elect to utilize the scales. Data will be collected from those colleges to evaluate the effectiveness of the placements.
# KCTCS Administrative Policies and Procedures

## Reading and Writing Placement Table

<table>
<thead>
<tr>
<th>ACT</th>
<th>SAT</th>
<th>KYOTE</th>
<th>TABE A</th>
<th>H. S. GPA&lt;sup&gt;1&lt;/sup&gt;</th>
<th>Wonderlic</th>
<th>EdReady&lt;sup&gt;2&lt;/sup&gt;</th>
<th>KCTCS Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading 20 or Higher <strong>and</strong> English 18 or higher</td>
<td>Writing 430 or above or Critical Reading 450 or higher</td>
<td>Reading 20 or higher <strong>and</strong> English 6 or higher</td>
<td>Reading 12.2 or higher <strong>and</strong> Writing 12.8 or higher</td>
<td>3.0 or higher</td>
<td>325 or higher</td>
<td>TBA</td>
<td>ENG 101 and no reading required</td>
</tr>
<tr>
<td>Reading 20 or higher <strong>and</strong> English 12-17</td>
<td>NA</td>
<td>Reading 20 or higher <strong>and</strong> English 3-5</td>
<td>Reading 12.2 or higher <strong>and</strong> Writing 8.1 – 12.7</td>
<td>NA</td>
<td>NA</td>
<td>TBA</td>
<td>ENG 101 with up to 2 hours of Writing Co-Requisite</td>
</tr>
<tr>
<td>Reading 12 – 19 <strong>and</strong> English 18 or higher</td>
<td>NA</td>
<td>Reading 6 – 19 <strong>and</strong> English 6 or higher</td>
<td>Reading 7.3-12.1 <strong>and</strong> Writing 12.8 or higher</td>
<td>NA</td>
<td>NA</td>
<td>TBA</td>
<td>ENG 101 and Reading Intensive Course with up to 2 hours of Reading Co-requisite&lt;sup&gt;3&lt;/sup&gt;</td>
</tr>
<tr>
<td>Reading 12-19 <strong>and</strong> English 12-17 <strong>Remediation in reading and writing</strong></td>
<td>NA</td>
<td>Reading 6-19 <strong>and</strong> English 3-5</td>
<td>Reading 7.3-12.1 <strong>and</strong> Writing 8.1-12.7</td>
<td>NA</td>
<td>180 or higher</td>
<td>TBA</td>
<td>ENG 101 with up to 4 hours of Reading <strong>and</strong> Writing Co-requisite&lt;sup&gt;4&lt;/sup&gt;</td>
</tr>
<tr>
<td>Reading or Writing 11 or less</td>
<td>NA</td>
<td>Reading 5 or less or English 1-2</td>
<td>Reading 7.3 or less or Writing 8.0 or less</td>
<td>NA</td>
<td>179 or less</td>
<td>TBA</td>
<td>Alternate Format: Transitional Course, ABE, Boot camp, etc.</td>
</tr>
</tbody>
</table>

<sup>1</sup>Unweighted High School GPA at the end of the fall semester of the senior year; scores will be adjusted as data become available.

<sup>2</sup>Under development—EdReady scores will be adjusted as data become available.

<sup>3</sup>Students with writing scores eligible for ENG 101, but reading scores indicating a co-requisite need will place into ENG 101 and a Reading Intensive Course with a reading co-requisite.

<sup>4</sup>Remediation must include reading and writing not to exceed a total of four hours.
4.13.2.4 High School Students

High school students must meet the same placement standards as college students.

4.13.2.5 English as a Second Language (ESL)

Some KCTCS colleges offer instruction to non-native English speakers. The ESL portion of the ACT/COMPASS (reading and grammar/usage) should be administered to non-native English speakers to determine appropriate placement in entry-level or ESL courses. ESL students will take COMPASS for mathematics placement.

<table>
<thead>
<tr>
<th>ENGLISH AS A SECOND LANGUAGE</th>
<th>READING ASSESSMENT AND COURSE PLACEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>92-99</td>
<td>Entry-level course</td>
</tr>
<tr>
<td>80-91</td>
<td>ESL 053 (High-Intermediate Reading for Non-Native Speakers)</td>
</tr>
<tr>
<td>65-79</td>
<td>ESL 052 (Improved College Reading for Low-Intermediate Non-Native Speakers)</td>
</tr>
<tr>
<td>38-64</td>
<td>ESL 051 (Introduction to College Reading for Non-Native Speakers)</td>
</tr>
<tr>
<td>1-37</td>
<td>Refer to Adult Basic Education</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ENGLISH (GRAMMAR/USAGE) ASSESSMENT AND COURSE PLACEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>94-99</td>
</tr>
<tr>
<td>84-93</td>
</tr>
<tr>
<td>63-83</td>
</tr>
<tr>
<td>42-62</td>
</tr>
<tr>
<td>1-41</td>
</tr>
</tbody>
</table>

Note: Grammar and usage scores are to be used in conjunction with a writing sample.
Certificate and Diploma-Seeking Students: Exempt from Assessment and Placement

Students who enroll in the following certificate and diploma programs at any college are exempt from assessment and placement requirements. Students who are enrolled in continuing education certificate programs at any college are exempt from assessment and placement requirements. Other exemptions may be granted through the college waiver process.

Credentials having 18 credits or below will be exempt from assessment and placement requirements. For credentials that have a range of credits with the low end being below 19 hours and the high end being over 19 hours, exemption only applies to credentials completed in 18 hours or less.

NOTE: All course prerequisites apply. COMPASS/ACT scores may be required if prerequisites include college-level placement in English or mathematics.

Diplomas and Certificates*:

- Detailer (C)
- Electro Hydraulic Technician (C)
- Industrial Maintenance Electrical Mechanic (C)
- Industrial Maintenance Mechanic Level I (C)

*Certificates with 18 credits or less are not listed here; refer to KCTCS catalog.
**Certificate and Diploma-Seeking Students: COMPASS, TABE, KYOTE, and WorkKeys Scores**

For students seeking a certificate or diploma, minimum assessment scores in mathematics, reading, and English (writing) are required for program admission. Each certificate and diploma program is assigned an admission placement level. Refer to *KCTCS COMPASS Program Admission Criteria, Fall 2012*, included with this attachment, for appropriate scores for programs. Students intending to enroll in these programs are not exempt from admission requirements; however, concurrent enrollment in program courses and academic-related (transitional) instruction is permitted. Certificates approved in 2006 or later individually specify assessment and program placement levels, which may differ from, but not be less than those presented in the chart below. Certificates embedded in associate degree programs may have placement levels less than the minimum ACT scores required for associate degrees.

*NOTE: All course prerequisites apply. Placement scores may be required if course prerequisites include college-level placement in English or mathematics and there is not a corresponding WorkKeys or TABE – A Score equivalent.*

### CERTIFICATE/DIPLOMA ASSESSMENT AND PROGRAM PLACEMENT

#### MATHEMATICS (Pre-Algebra Domain)

<table>
<thead>
<tr>
<th>COMPASS</th>
<th>ASSET</th>
<th>TABE A</th>
<th>KYOTE</th>
<th>WorkKeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>42</td>
<td>38</td>
<td>10.2</td>
<td>MP 12-17</td>
</tr>
<tr>
<td>II</td>
<td>34</td>
<td>35</td>
<td>8.6</td>
<td>MP 6-11</td>
</tr>
<tr>
<td>III</td>
<td>25</td>
<td>31</td>
<td>6.7</td>
<td></td>
</tr>
<tr>
<td>IV</td>
<td>17</td>
<td>23</td>
<td>4.6</td>
<td>MP 0-5</td>
</tr>
</tbody>
</table>

#### READING

<table>
<thead>
<tr>
<th>COMPASS</th>
<th>ASSET</th>
<th>TABE A</th>
<th>WorkKeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>80</td>
<td>42</td>
<td>10.7</td>
</tr>
<tr>
<td>II</td>
<td>74</td>
<td>39</td>
<td>9.6</td>
</tr>
<tr>
<td>III</td>
<td>64</td>
<td>36</td>
<td>8.0</td>
</tr>
<tr>
<td>IV</td>
<td>44</td>
<td>23</td>
<td>5.1</td>
</tr>
</tbody>
</table>

#### ENGLISH (Writing)

<table>
<thead>
<tr>
<th>COMPASS</th>
<th>ASSET</th>
<th>TABE A</th>
<th>WorkKeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>64</td>
<td>41</td>
<td>11.3</td>
</tr>
<tr>
<td>II</td>
<td>49</td>
<td>39</td>
<td>10.1</td>
</tr>
<tr>
<td>III</td>
<td>36</td>
<td>37</td>
<td>9.3</td>
</tr>
<tr>
<td>IV</td>
<td>14</td>
<td>23</td>
<td>5.8</td>
</tr>
</tbody>
</table>
COMPASS PROGRAM ADMISSIONS CRITERIA
Fall 2016

COMPASS UNCONDITIONAL ADMISSIONS
SCORES
MASTER LIST
MATH – READING – WRITING

Alternate Admissions

Students who do not meet the admission criteria listed below, may qualify for alternate admission by meeting one or more of the follow criteria:

- Scoring an ACT composite score of 17.
- Earning 12 credit hours of postsecondary college level (non-transitional education) work in the last 7 years.
- Complete the appropriate Transitional Education course(s) sequence.
- Meeting Ability to Benefit (students who have not obtained a high school diploma or its equivalency) complete a Department of Education approved exam with appropriate scores or satisfactorily complete 6 credit hours or the equivalent coursework applicable toward a degree or certificate offered by the institution making the determination. Students meeting ability to benefit and seeking federal financial aid funds must be enrolled in an eligible career pathway defined as:
  - Concurrently enrolls participants in connected adult education and eligible postsecondary programs;
  - Provides counseling and supportive services to identify and attain academic and career goals;
  - Provides opportunities for acceleration to attain recognized credentials or degrees;
  - Provides structured course sequences that are contextualized and allow students to advance to higher levels of education and employment;
  - Is organized to meet the needs of adults;
  - Is aligned with the education and skill needs of the regional economy;
  - Has been developed and implemented in collaboration with partners in business, workforce development, and economic development

Students who successfully complete all course work without providing qualifying scores are not required to take the Assessment & Placement test at the end of the course work to earn a credential.

NOTE: All course prerequisites apply. Placement scores may be required if course prerequisites include college-level placement in English or mathematics and there is not a corresponding WorkKeys or TABE –A Score equivalent. Alternate admission criteria do not apply to programs that have a separate selective admission policy.

COMPASS Math scores listed below are for Pre-Algebra Domain scores unless designated.

General Area – ADVANCED INTEGRATED TECH

<table>
<thead>
<tr>
<th>Math</th>
<th>Reading</th>
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General Area – AFRICAN AMERICAN STUDIES

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General Area – AGRICULTURAL TECHNOLOGY

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## KCTCS Administrative Policies and Procedures

### General Area – AIR CONDITIONING TECHNOLOGY

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### General Area – APPALACHIAN STUDIES

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### General Area – APPLIED ENGINEERING TECHNOLOGY

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#### General Area – BUSINESS ADMIN SYSTEMS

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Math: 42  
Reading: 80  
Writing: 64

General Area – COMPUTERIZED MANUFACTURING AND MACHINING

Math: 42  
Reading: 74  
Writing: 49

General Area – CONSTRUCTION TECHNOLOGY

Math: 25  
Reading: 64  
Writing: 36

General Area – COSMETOLOGY

Math: 25  
Reading: 74  
Writing: 49

General Area – CRIMINAL JUSTICE

Math: 42  
Reading: 80  
Writing: 64

General Area – CULINARY ARTS

Math: 42  
Reading: 80  
Writing: 64

General Area – DENTAL ASSISTING

Math: 42  
Reading: 80  
Writing: 64

General Area – DIAGNOSTIC MEDICAL SONOGRAPHY

Math: 42  
Reading: 80  
Writing: 64

General Area – DIESEL TECHNOLOGY

Math: 34  
Reading: 74  
Writing: 49

General Area – DIGITAL GAME AND SIMULATION DESIGN

Math: 42  
Reading: 80  
Writing: 64

General Area – ENERGY MANAGEMENT

Math: 34  
Reading: 64  
Writing: 45

General Area – ENERGY SYSTEMS

Math: 42  
Reading: 80  
Writing: 64

General Area – ENERGY TECHNOLOGIES

Math: 42  
Reading: 80  
Writing: 64

General Area – ENGINEERING & ELECTRONICS TECHNOLOGY

Math: 42  
Reading: 80  
Writing: 64

General Area – ENVIRONMENTAL TECHNOLOGY

Math: 34  
Reading: 74  
Writing: 49

General Area – EQUINE STUDIES

Math: 42  
Reading: 80  
Writing: 64

General Area – FINANCIAL AND CUSTOMER SERVICES

Math: 42  
Reading: 80  
Writing: 64

General Area – FIRE/RESCUE SCIENCE TECHNOLOGY

Math: 34  
Reading: 74  
Writing: 49

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General Area – **MANUFACTURING ENGINEERING TECHNOLOGY**

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General Area – **MECHATRONIC SYSTEMS**

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General Area – **MULTI-SKILLED SYSTEMS TECHNICIAN**

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**NOTE:** Successful completion of required RDG/ARI, ENC and MAT courses will serve in place of COMPASS scores to meet the minimum requirements for admission to the program.

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Opportunities exist for students to build their foundational skills necessary to demonstrate college readiness, including but not limited to transitional coursework, supplemental instruction, intensive short-term bridge programs and other approved interventions. The following list, although not exclusive and all encompassing, represents evidence-based interventions that support college readiness development.

- Co-requisite/co-enrollment in Transitional and Gateway Courses
- Accelerated Reading, Mathematics and Writing Transitional Courses
- Contextualized Technical Courses and Basic Skills Instruction
- Contextualized Transition Courses
- E.E.S. (Educational Enrichment Services)
- Emporium Course Redesigns
- KYAE Partnerships
- Learning Communities and Cohort Models
- Paired Transitional Education Courses (ex. ENC 090-091 courses)
- Summer Bridge and Short-Term Bridge Programs
- Supplemental Instruction Models (extra class sessions, additional labs, tutoring, and increased monitoring of students, beyond that usually associated with an entry-level course)
4.14 Policies and Procedures Relating to Implementation of Distance Learning Instructional Support in Academic Affairs, Student Affairs, and Business Affairs

In order to support the successful implementation of distance learning instruction by Internet and interactive television (ITV)/video conference network, the following definitions, policies, responsibilities, and procedures pertaining to Academic Affairs, Student Affairs, and Business Affairs are hereby established.

4.14.1 Definitions

A. **Home College** is defined as the college to which the student is admitted and from which the student will receive a credential upon successful completion of a program of study. The Home College must have program approval in order to serve as the Home College for a given degree.

B. **Delivering College** for the purposes of Internet courses is defined as the college at which the faculty member teaching the class is employed (faculty member may be employed by more than one college as an adjunct). For ITV, the Delivering College is the college from which the class originates.

C. **Online Learning** refers to courses delivered by the Internet (World Wide Web). Online learning may be a combination of synchronous and asynchronous or only asynchronous. The teacher and student are separated by time or place or both time and place.

D. **Interactive Television (video conference, ITV, or closed circuit)** refers to courses delivered point to point or point to multi-point through two-way, compressed video. Video conference/ITV is synchronous where the student and teacher are separated only by space.

E. **Distance Learning Coordinators Peer Team** includes one representative from each college recommended by local presidents/CEOs for appointment by the KCTCS President.

F. **Video Conference/ITV facilitators** manage ITV facilities and procedures at each college.

G. **KCTCS Online** is the umbrella name for presenting Learn on Demand (the Virtual Learning Initiative - VLI model) and Learn by Term (the Semester-based Courses)

H. **Learn on Demand Charter Colleges:** In April 2012 the KCTCS President appointed six college presidents to serve on the Learn on Demand Leadership Team. The Learn on Demand Leadership Team colleges are designated as the Learn on Demand Charter Colleges. The colleges include Big Sandy CTC, Elizabethtown CTC, Jefferson CTC, Somerset CC, Southeast Kentucky CTC, and West Kentucky CTC.

4.14.2 Policies

A. All distance learning modalities will reflect the Principles of Good Practices and Kentucky Virtual Campus (KYVC) Course Development Resource established by the Kentucky Council on Postsecondary Education and the Kentucky Virtual Campus (KYVC).

B. The Distance Learning Coordinators Peer Team consisting of one representative from each college and appointed by the KCTCS President will identify and recommend policies and procedures in distance learning.
C. Courses and programs to be delivered via technology will be based upon appropriate needs assessments and demand as determined at the local level and implemented in coordination with the KCTCS System Distance Learning Office.

D. Program curriculum committees with representatives from each KCTCS College offering the program will review curriculum and monitor each online program for quality consistent with programs delivered in a traditional format.

E. KCTCS policies and procedures shall be applied to all degree-seeking students.

F. Distance learning activities will be in compliance with all accreditation requirements.

G. Internet programs and classes offered statewide may be posted by the Kentucky Virtual Campus.

4.14.3 Responsibilities:

4.14.3.1 System Office

A. System Office will assist in the tracking of student success, course history, and effectiveness of support.

B. System Office will manage assessment of services and will utilize common, online assessment tools.

C. System Office will maintain system-wide Learn by Term (distance learning, semester-based) homepage that includes links to each college’s distance learning website, the KCTCS Distance Learning Bookstore link, information on statewide library services, and a general student orientation. Plus the System Office maintains a comprehensive homepage for Learn on Demand.

D. System Office will guide faculty in securing permission of U.S. copyrighted material consistent with intellectual property policies.

E. The System Director of Distance Learning Technologies or designee will serve as KCTCS representative to KET meetings.

F. System Office will support the need to provide faculty and students 24/7-server support and help desk accessible by a single, published toll-free telephone number.

G. System Office will support training in the use of online tools and instructional design support.

H. System Office in cooperation with Chief Academic Officers will post files of credentials for faculty teaching via video conference/ITV and the Internet in the KCTCS Enterprise Content Management System. The credentials will be captured as a true copy in accordance with KCTCS policies and procedures, and accessible only by appropriate HR personnel and Chief Academic Officers.

I. System Office will ensure faculty and staff have access to appropriate training in distance learning policies and procedures.

J. System Office will provide system-wide coordination and support for colleges participating in distance learning activities including the publishing of a guide for implementing distance learning.

K. System Office will serve as liaison to Kentucky Virtual Campus (KYVC).
4.14.3.2 Delivering College

A. Delivering College will provide teaching faculty for programs and classes delivered via technology. (Internet faculty from a Delivering College for Learn by Term will be considered adjunct faculty to the Home Colleges for accreditation purposes; facilitators for Learn on Demand are hired by the Lead Delivering College as adjunct faculty.)

B. Delivering College will determine faculty compensation and faculty load for Learn by Term. Faculty compensation for Learn on Demand is determined through the tuition-based formula with any additional compensation approved by the Learn on Demand Leadership Team while faculty load is determined through collaboration between the Lead College and the faculty’s home college.

C. Delivering College will complete the Kentucky Virtual Campus (KYVC) course submission form for each course offered via KYVC and posted at www.kyvc.org.

D. Delivering College will assign unique section numbers for both Learn by Term, and Learn on Demand, and colleges will enter the appropriate PeopleSoft Instruction Mode for both Learn by Term and Learn on Demand.

E. Delivering College offering a new online course will follow quality assurance standards and guidelines for Internet course continuous improvement prior to delivery and again during first semester delivery of course and thereafter.

F. Delivering College will execute Student Evaluation of Instruction instrument.

G. Delivering College will provide students’ final grades to Home College.

H. Delivering College will communicate ISBN for identified textbook through local college Bookstore Managers or directly submit course and book information to the bookstore 24/7 at KCTCS Distance Learning Bookstore.

I. Delivering College, in cooperation with System Office, will post files of credentials for faculty teaching via ITV and the Internet in the KCTCS Enterprise Content Management System. The credentials will be captured as a true copy in accordance with KCTCS policies and procedures, and accessible only by appropriate HR personnel and Chief Academic Officers.

J. Delivering College will communicate test requirements to Home College testing site at the beginning of each semester.

K. Delivering College will communicate testing site location and contact to student and informs the student of his/her responsibility for scheduling proctored test.

L. Delivering College will cancel classes and will notify Home College and students that the class is cancelled.

M. Delivering College will schedule Learn by Term classes using appropriate instruction mode in PeopleSoft for publication at KYVC programs and courses, through PeopleSoft Self Serve, and at local colleges’ websites and the appropriate instruction mode for Learn on Demand for http://online.kctcs.edu.

N. Delivering College will identify video conference/ITV facilitator.

O. For the purpose of distributing FTE and tuition, Delivering Colleges using video conference/ITV will execute an agreement to deliver and receive video conference/ITV classes using the video conference/ITV Cost Sharing form.

P. Delivering College Chief Academic Officer will, upon request, provide access to evaluation of instruction of faculty to Home College Chief Academic Officer.
Q. The formal College Board Appeal process follows the Student Code of Conduct and will be managed at the Delivering College.

4.14.3.3 Home College

A. Home College will provide student affairs including advising, admission, enrollment, drop/add, withdrawals, library, bookstore, tutoring, assessment and placement, and testing.
B. Home College will assist the student in the complaint and appeal process by referring him/her to the Chief Academic Officer at the Delivering College. The formal College Board Appeal process follows the Student Code of Conduct and will be managed at the Delivering College.
C. Home College will distribute funds to students receiving financial aid.
D. Home College bookstores may provide online ordering and purchasing for identified Learn by Term courses through the KCTCS Distance Learning Bookstore.
E. Home College is responsible for the collection of all tuition and fees.
F. Home College will recommend that the student be awarded a credential.
G. Home College will maintain a testing site to accommodate students participating in distance learning activities including proctored testing and appropriate facilities to accommodate programs offered by the Home College.
H. Home College will provide networked computer facilities to accommodate students taking Internet classes.

4.14.3.4 Kentucky Virtual Campus (KYVC)

A. KYVC accepts Learn by Term (Semester-based Courses) postings for marketing at the KYVC website (www.kyvc.org)
B. KYVC will receive student inquiries.
C. KYVC will communicate student inquiries for online courses to KCTCS Home College designated by the student.
D. KYVC Call Center will support KCTCS online students and faculty with Helpdesk in coordination with KCTCS 24/7 Help Desk.

4.14.3.5 Learn on Demand

A. KCTCS Online is the approved umbrella name for Learn on Demand (VLI) and Learn by Term (Semester-based Courses).
B. Learn on Demand is a systemwide virtual learning initiative (VLI) whose oversight is vested in the KCTCS Learn on Demand Leadership Team. The delivery of complete programs offered through Learn on Demand (certificate, diploma, or degree) will be authorized through oversight by the KCTCS Learn on Demand Leadership Team.
C. Learn on Demand participating colleges will display courses designated with the “VL” instruction mode on the Learn on Demand website.
D. Learn on Demand will receive student applications.
E. Learn on Demand will communicate student requests for online courses to KCTCS Home Colleges.
F. Learn on Demand Call Center will support students and faculty with 24/7 Helpdesk.
G. *Learn on Demand* modularized courses will not be available for a credit by special examination (as each module will include a built in pre-test and post-test).

H. *Learn on Demand* will provide central services (including Learn on Demand success coaches) and will recharge the delivering colleges for the Learn on Demand Central Services in proportion to the assessed revenue for Learn on Demand courses.  

*Learn on Demand* provides the following Central Services:
1. Faculty training and support
2. Training in quality assurance
3. Instructional design support
4. Review of best practices implementation to assist in quality assurance
5. Software contracts, e.g., Blackboard, Wimba, SoftChalk
6. Website construction and maintenance, and integration with PeopleSoft
7. “Front door” website with electronic student services, i.e., admission, registration, enrollment, schedules, cost calculators, help desk, advising, etc.
8. Grant-making for program development and delivery
9. Call center and help desk
10. Virtual Student Success Coaches for Learn on Demand students
11. IT design and support
12. Outsource services as appropriate, e.g., tutoring, advising, Web design
13. Marketing of programs and for faculty recruitment

I. *Learn on Demand* Charter Colleges’ Responsibilities:
1. Learn on Demand Charter Colleges are Big Sandy Community & Technical College, Elizabethtown Community & Technical College, Jefferson Community & Technical College, Somerset Community College, Southeast Kentucky Community & Technical College, and West Kentucky Community & Technical College.
2. The KCTCS President, the presidents of the Learn on Demand Charter Colleges, and the KCTCS President’s cabinet will comprise the Learn on Demand Leadership Team and will direct the operations of Learn on Demand. The Learn on Demand Leadership Team will meet at least quarterly to review Learn on Demand implementation and make decisions as necessary.
3. Each Learn on Demand delivering college will contribute 10% of its Learn on Demand revenue to the Learn on Demand Distribution Pool. Delivering colleges will retain the other 90% of the tuition revenue.
4. The Learn on Demand Charter Colleges and the KCTCS System Office will receive equal shares of the annual Learn on Demand Distribution Pool.
5. Each of the Learn on Demand Charter Colleges will include in its headcount enrollment the number of Learn on Demand students who identify that college as the home college.
6. Each of the Learn on Demand Charter Colleges will commit to increasing the average number of credit hours enrolled by Learn on Demand students each term from the current level to 8 credit hours per term by the spring 2014 term and to the average number of credit hours per term for all KCTCS students by the spring 2016 term. The Learn on Demand Leadership Team will identify and review strategies that may be used by Learn on Demand colleges to fulfill these commitments.
7. Each of the Learn on Demand Charter Colleges may, at its discretion, leave the group of Learn on Demand Charter Colleges with six months prior notice.
8. Each of the Learn on Demand Charter Colleges acknowledges that failure to fulfill its
responsibilities as outlined in this charter may result in its removal from the group of Learn on Demand Charter Colleges, based on the consensus of the Learn on Demand Leadership Team.

9. The Learn on Demand Leadership Team may, at its discretion and based on the consensus of the Learn on Demand Leadership Team, add other KCTCS colleges to the Learn on Demand Charter Colleges upon demonstrated ability of another KCTCS college to fulfill the responsibilities of a Learn on Demand Charter College as outlined in this charter. If another KCTCS college is added to the Learn on Demand Charter Colleges, the Learn on Demand Leadership Team will determine the provisions (rights and responsibilities) under which the college will be added.

10. Each of the Learn on Demand Charter Colleges and the KCTCS System Office will promote Learn on Demand by including Learn on Demand in a prominent place in the college's web page and in the college's local marketing efforts.

11. Each of the Learn on Demand Charter Colleges and the KCTCS System Office will promote Learn on Demand by including Learn on Demand in a prominent place in the college's web page and in the college's local marketing efforts.

J. Other KCTCS Colleges (those not delivering Learn on Demand courses):
1. Each other KCTCS college will include in its headcount enrollment the number of Learn on Demand students who identify that college as the home college but will not record tuition revenue for those students (tuition is recorded at the delivering college).

K. Learn on Demand Project Development and Delivery is determined through project proposal submissions to the Learn on Demand Leadership Team.
1. A Learn on Demand project will have one college as the Lead College.
2. For approved projects, the Lead College receives:
   a. a nonrecurring loan for development of the program,
   b. an instructional budget for the delivery of the program, and
   c. an additional allocation for the program(s) which they develop and deliver.
3. The Lead College will create a return on investment (ROI) plan as part of the project proposal submission that shows how the program will be self-sustaining and generate net revenue.
4. The Lead College will ensure there is enough faculty for its program delivery so that enrollments in any course will not be capped (see # 7).
5. The Lead College will recruit faculty for its program.
6. The Lead College, in cooperation with System Office, will post files of credentials for faculty/instruction facilitators teaching via ITV and the Internet in the KCTCS Enterprise Content Management System. The credentials will be captured as a true copy in accordance with KCTCS policies and procedures, and accessible only by appropriate HR personnel and Chief Academic Officers.
7. The Lead College will decide, based on resources, the number of students per instructional-facilitated section.
8. The Lead College will be responsible for program/course reviews and revisions through regular college/system processes.
9. The Lead College will implement best practice guidelines developed by the VLI.

L. Learn by Term – see 4.14.3 Responsibilities
M. The Learn on Demand Charter will be reviewed annually by the Learn on Demand Leadership Team.
4.14.3.6 Distance Learning Student

A. Student will identify a Home College. The degree-seeking student applies for admission at the Home College.
B. Student will schedule testing site for any required proctored testing.
C. Student will secure all books, eResources, and other materials.
D. All students enrolling in an online or Internet-dependent class are responsible for activating their KCTCS.edu email account.
4.15 Kentucky Community and Technical College System Enrollment of High School and Adult Education Students Policy

KCTCS colleges are expected to enter into partnerships with comprehensive high schools, area technology centers, and adult education programs for the purpose of providing postsecondary educational opportunities to high school and adult education students. Guiding principles for all agreements include national standards, regional accreditation standards, Kentucky Revised Statute, and KCTCS policy. Agreements must meet the Commission on Colleges of the Southern Association of Colleges (SACS) accreditation requirements.

The following mechanisms may be used to award credit to high school or adult education students.

- **Articulated Credit** – College credit awarded by the KCTCS college for successful completion of secondary courses. Articulated credit is awarded and transcripted when the student enrolls in the KCTCS college and earns a minimum of three credits in an applicable postsecondary program. Students who do not complete three credit hours in an applicable postsecondary program at the KCTCS college within three years of the last course completed at the secondary institution may be required to take a special examination or to repeat the course if there has been significant change in related technology within the time period.

- **Dual Credit** – Students earn high school and college credit for the same course simultaneously. These courses may be taught on the high school or college campus, or online. Students may be asked to pay a tuition/fee in order to enroll (this will vary according to school and district policy). KCTCS colleges are responsible for the academic integrity, quality, and rigor of dual credit courses being offered. In order to receive college credit, the high school student must apply, be accepted, meet placement benchmarks, and fulfill all requirements for the course.

- **Dual Enrollment** – Concurrent enrollment in a KCTCS college and high school or adult education program with credit awarded by the KCTCS college. A student may be concurrently enrolled in a KCTCS college and high school or adult education program. Dual enrollment is distinguished from dual credit because the student earns credit only from the KCTCS college. Dual enrollment of high school students may occur when the college course has no high school equivalent or a dual credit opportunity is not available. Dual enrollment is appropriate for adult education students because adult education programs do not award credit.
Local colleges must have a policy regarding the enrollment of high school students or adult education students that is consistent with KCTCS student admission and academic policies.
4.17.1 Procedure for Approval of an Honorary Degree

The following steps are to be followed for the approval of an honorary degree:

Step 1 - Local College President
- Notifies the KCTCS Chancellor in advance.
-Establishes a local committee to make recommendations to him/her concerning the award of an honorary degree.
  - Nominations for an honorary degree are reserved for rare occasions; recommendations for such should be based upon exceptional and well-documented merit.
  - Criteria for determining such a recommendation shall include, but not be limited to, one or more of the following areas:
    - The nominee has made exceptional, outstanding, lasting contributions to the community as a notable life achievement over the course of his/her career.
    - The nominee has made exceptional, outstanding, lasting contributions to the college and/or KCTCS as a notable life achievement over the course of his/her career.
    - The nominee has made exceptional, outstanding, lasting contributions to the state, national, or international community as a notable life achievement over the course of his/her career.
- Obtains college support for a request for an honorary degree.
- Submits a letter of recommendation, including a strong rationale (exceptional contributions) for the honorary associate degree, to the KCTCS Chancellor.
  - The letter shall include:
    1. The name of the individual being nominated.
    2. Address.
    4. Exceptional contributions that support the recommendation.
    5. Any other information of interest, identifying any special connections to KCTCS or the college.

Step 2 - KCTCS Chancellor
- Reviews the request and rationale submitted.
- Makes a recommendation to the KCTCS President, if supported.
- Notifies the college president and returns the request, if not supported.

Step 3 - KCTCS President
- Reviews the Chancellor’s recommendation as well as the request and rationale submitted.
- Places the name on the Board of Regents KCTCS Colleges’ Candidates for Credentials list for consideration, if supported.
- Notifies the Chancellor and returns the request to his office, if not supported.
Step 4 - KCTCS Board of Regents

- The Academic Affairs and Curriculum Committee reviews the Board of Regents KCTCS Colleges’ Candidates for Credentials list, including the proposed honorary degree.
- The Academic Affairs and Curriculum Committee makes a recommendation on the KCTCS Colleges’ Candidates for Credentials list to the KCTCS Board of Regents.
- The KCTCS Board of Regents takes action on the KCTCS Colleges’ Candidates for Credentials list.
4.18 KCTCS Student/Faculty Ratios in Nursing Clinicals

Nursing Program Coordinators will work with the Chief Academic Officers, who will support the Coordinators in carrying out all their position responsibilities as stated in 201 KAR 20:260, to assure appropriate student/faculty ratios in clinical practice settings, not to exceed 10:1, but to be adjusted as necessary to ensure a safe environment for student clinical experiences.
4.19  KCTCS Web Services Policies

4.19.1 Purpose

The purpose of Web Services within KCTCS is to extend the System's ability to create and maintain relationships with our constituents; to provide structures for enhancing communications with and service to those constituents; to provide standards and best practice recommendations for those communications and services; and to assist the System in accomplishing its strategic goals and vision through accuracy, innovation, timeliness, responsiveness, and quality.

4.19.2 Mission and Role of Web Services

The mission of KCTCS Web Services is to provide the highest level of effective and accurate content and services to System audiences in keeping with the KCTCS vision of being the nation’s best two-year college system.

The role of Web Services within the System is to provide standards-compliant, user-friendly platforms for the delivery of KCTCS content and services and to provide expert guidance in the proper use of those platforms.

4.19.3 Definitions

A. **KCTCS web property**: A KCTCS web property is defined as any collection of web-based documents, content, or services that:
   - Employs the kctcs.edu domain name, or any variation owned or controlled by KCTCS, or is hosted using another domain name under an agreement with KCTCS.
   - Resides primarily on servers owned, managed, or controlled by KCTCS.
   - Presents official KCTCS content and/or services to public or KCTCS-internal audiences.
   - Engages in activity governed by KCTCS business procedures; is primarily funded or supported with KCTCS resources; or is dependent on KCTCS for management, technical services, content, or support.

B. **Public web property**: A public KCTCS web property is one that is available via the public internet, and which generally does not restrict access to content. Examples include college web sites or official KCTCS presences on social networking web sites.

C. **Private web property**: A private KCTCS web property is one to which access is restricted by network location or by user authentication. Examples include student self-service or the employee Intranet.

D. **Intranet**: An Intranet is a secure collection of web sites, content, and services geared toward specific internal audiences. In KCTCS, these include private areas for teams to collaborate.
and manage files, open web-based communications channels, connected search services, and secure integration points to other enterprise systems and information.

E. **Extranet**: An extranet is a semi-private web site that enhances communications and transactions between KCTCS and various partners. A web site allowing vendors to review bids, provide information about services they offer, and process invoices would be an example of an extranet.

### 4.19.4 Administrative Structure

Web Services within KCTCS is a functional area with both college and System Office components. Overall management is provided by a System Director of Web Services, reporting to a System Vice President. Each college maintains full-time professional web services management as detailed in the responsibilities section of this policy.

#### 4.19.4.1 College Responsibilities

Responsibility in each of the areas below is assumed by the college president and formally assigned to appropriate personnel.

A. **Content** - The college president assigns personnel charged with production of digital graphics and photography and writing/editing/proofing web site copy in compliance with established branding, writing, style, and other standards maintained by the Web Services Peer Team.

B. **Optional Development** - The college president may optionally assign content personnel to participate in collaborative web application development with members of the Web Services Peer Team. This development is governed by a prioritization and development model approved by the President’s Leadership Team and maintained by the Web Services Peer Team.

C. **Training** - The college president assigns personnel charged with providing ongoing training to colleagues for CMS use, Intranet functionality, content development, standards and best practices, and web technologies through compliance with training plans and standards are maintained by the Web Services Peer Team.

D. **Support** - The college president assigns personnel charged with providing advice to content managers on standards compliance, serving as tier-one and tier-two technical support for web-services related issues, and managing user access and permissions to Intranet or CMS systems. Support complies with governance plans, support models, and standards maintained by the Web Services Peer Team.

E. **Leadership** - The college president assigns personnel charged with service on the Web Services Peer Team. Members will participate fully and complete assignments as requested.
4.19.4.2 System Office Responsibilities

The System Office Web Services Department is responsible for general oversight of System-wide Web Services efforts as well as management of web operations at the System Office.

The System Office Web Services Department provides leadership, service, and support to the colleges by:
1. Leading the Web Services Peer Team.
2. Coordinating governance, training, and support for all Web Services efforts.
3. Representing the Web Services Peer Team to Cabinet, President’s Leadership Team, and the Board of Regents as required.
4. Serving as a resource for standards, technical issues, communications, and other assistance as needed.
5. Managing System-wide Web Services infrastructure, including:
   - Installation, management, and support of all System-wide hosting environments.
   - Leading all development efforts.
   - Creating certification models for Web Services developers.
   - Providing implementation support for Web Services platforms.
   - Installation, management, and support of all System Web Services platforms.

4.19.4.3 Peer Team Responsibilities

1. To develop best practices for all KCTCS Web Services.
2. To increase enrollment and retention through the promotion of more responsive services and improved customer service.
3. To provide effective, efficient communication among colleges and KCTCS System Office and students.
4. To recommend system-wide web services policies, including compliance with the KCTCS marketing plan.
5. To collaborate with other peer teams to ensure coordinated and seamless service.
6. To oversee compliance of all KCTCS Web Services with legal obligations regarding accessibility of Web Services for persons with disabilities.
7. To provide review and recommend enforcement of issues regarding non-compliance with standards and best practices.
8. To provide Web Services support to all colleges through shared experiences, open dialogue, and active collaboration.
4.19.5 General Policies

4.19.5.1 KCTCS Web Properties

Web properties as defined in the "definitions" section of this policy will be subject to all relevant standards, requirements, and procedures as approved by the President’s Leadership Team and maintained by the Web Services Peer Team. Additional considerations are included here.

A. Student web sites
Web sites for student organizations will comply with branding and other standards if provided by KCTCS. Student organizations with web sites not provided by KCTCS will provide notice on every web page that the content of the site is not reviewed or approved by KCTCS and does not reflect KCTCS views or policies.

Web sites of individual students shall be governed by the KCTCS Student Code of Conduct and other related policies, including Information Technology policies. Student web pages provided by KCTCS shall be otherwise exempt from KCTCS web property standards but will include a disclaimer that the content of the site is not reviewed or approved by KCTCS and does not reflect KCTCS views or policies.

B. Faculty web sites
Web sites provided for faculty in order to provide basic information to students, like office hours, directory information, and the like shall be governed by KCTCS web property standards. This content must be provided and maintained via KCTCS web properties.

Web content provided by faculty members as a required component of a course must be provided within the approved KCTCS e-learning system and must comply with standards for that system as well as relevant legal standards.

Personal faculty web pages are not subject to KCTCS web property standards but may not contain required course materials that are not provided in the KCTCS e-learning system and may not purport to be official content for either KCTCS or any KCTCS course. These sites must contain a disclaimer that the content of the site is not reviewed or approved by KCTCS and does not reflect KCTCS views or policies.

C. Third-party sites
Web sites provided through a third-party partnership (vendors and the like) must comply with all KCTCS web property standards to the extent possible. Exceptions must be reviewed and noted by the Web Services Peer Team. Requests to comply with standards must be included in
requirements for subsequent contract renewals. All new efforts to secure service from third-party web sites or vendors will include requirements that these standards be met.

4.19.5.2 System-wide Coordination

A. Purchasing - The purchase of web-related products and services will be coordinated with the Web Services Peer Team in accordance with KCTCS web property standards referenced in the "Third-party" sites portion of this policy and the prioritization model established by the President's Leadership Team.

B. Development - The development of web-based applications and services will be coordinated through the prioritization and development model established by the President's Leadership Team and maintained by the Web Services Peer Team.

C. Web hosting - Hosting of Web Services content and applications will occur on the platforms provided by the System Office or via an approved vendor relationship for third-party services. Exceptions must be noted and reviewed by the Web Services Peer Team utilizing the prioritization and development model established by the President's Leadership Team and maintained by the Web Services Peer Team.

4.19.5.3 Standards

A. Legal Standards
1. All KCTCS web properties will comply with FERPA requirements.
2. All KCTCS web properties will comply with legal requirements related to accessibility for disabled persons as required in Section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The measurement for compliance will be based upon current industry standards and will be maintained by the Web Services Peer Team.
3. All KCTCS web properties will comply with copyright and fair use laws.
4. All KCTCS web properties will comply with any and all other applicable federal and state laws.

B. KCTCS/Industry Standards
1. All KCTCS web properties will comply with the KCTCS web privacy statement maintained by the Web Services Peer Team.
2. All KCTCS web properties accepting credit cards will comply with the industry-required PCI standard.
3. All KCTCS web properties will comply with KCTCS marketing and branding standards as approved by the President's Leadership Team and maintained by the Marketing Peer Team.
4. All KCTCS web properties will comply with Information Technology and data security standards as approved by the President's Leadership Team and maintained by the Technology Solutions Administrative Team.

5. All KCTCS web properties will comply with best practices guidelines, style requirements, and other standards approved by the President's Leadership Team and maintained by the Web Services Peer Team or other assigned entities.

C. Enforcement

Violations of Web Services standards and policies shall be reported to a local Web Services Peer Team member for attempted resolution. Failing a satisfactory resolution, issues shall be referred to local leadership first, then to the Web Services Peer Team for an evaluation and possible enforcement recommendation, then to System leadership for resolution.

Recommended enforcement actions may range from intervention by a Web Services employee for the purpose of correcting an issue, to removal of an individual's access to Web Services platforms, to the removal of non-compliant content or services. Recommendations are non-binding, and the final decision of KCTCS leadership will be implemented in all cases.

D. Content

1. Academic Speech - Academic speech will be protected in all cases but shall not be assumed to supersede relevant policies or legal requirements.

2. Advertising and promotion - Advertising and promotion of non-KCTCS entities via KCTCS web properties is not permitted without prior review and approval by the President's Leadership Team. In limited circumstances, as in the identification of Foundation sponsors by name or logo, or through a negotiated contract approved by Business Services and KCTCS leadership, some recognition of external entities is permitted. In all other cases, exceptions shall be requested through the System Director of Marketing and the System Director of Web Services, who will make a joint recommendation to the Cabinet or President's Leadership Team.

3. Style and audience - All KCTCS web properties will present content and services in a manner most appropriate for the intended audience. Language, style, tone, and format are all important considerations. The KCTCS Style Guide shall serve as the reference for questions regarding content. Marketing and Web Services personnel shall serve as a resource for questions or concerns regarding web content.
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(Include all dates in chronological order)

(SIGNED) 02-02-15

Recommended by Date

(SIGNED) 02-02-15

President, KCTCS Date
4.20 KCTCS Social Media Policy

The use of social media has become an integral part of our society and culture. As such it has begun to transition from an after-work social channel to an important customer relations and educational tool that has affected much of our professional day-to-day. Social media channels are powerful communications tools that can significantly impact professional and organizational reputations and should not be taken lightly. To promote the successful use of social media communications the Kentucky Community and Technical College System (KCTCS) has developed and will continue to update, the following policy to assist in the protection of personal and professional reputations and student safety while participating in social media. This also includes examples of some best practices for individual and college accounts as well as recommendations for posting in social media communities. Since the web is constantly growing and evolving, the resources provided below will continue to grow as needed by KCTCS and federal requirements. For more information and assistance with social media, please contact the KCTCS System Office Marketing and Communications Department.

A public KCTCS web property is one that is available via the public internet and which generally does not restrict access to content. Examples include college websites or official KCTCS presences on social networking websites.

4.20.1 Using Social Media

KCTCS officially utilizes Facebook, Twitter, YouTube and LinkedIn for social media communications; however, this policy also includes but is not limited to other social media sites, such as, MySpace, Tumblr, Flicker, Vimeo and others. Your conduct in non-KCTCS environments may also reflect on KCTCS and is governed by the same policies and procedures in cases where information, services, or materials belonging to KCTCS are involved. Where KCTCS information is not involved, your behavior is governed by statute and, we hope, by common courtesy.

Below are highlighted additional KCTCS policies that must be followed when utilizing official KCTCS social media sites or when having identified yourself as a KCTCS employee or student.

- Information and Information Use Technology Policy – Administrative Policy 4.2.5.
- KCTCS Web Services Policy – Administrative Policy 4.19.
- Harassment-Free Workplace Policy – Administrative Policy 3.3.1.
- KCTCS Students Administrative Policy 4.20.3.

4.20.2 KCTCS Faculty and Staff

4.20.2.1 As an Official KCTCS Representative
1. Follow the proper channels. Be aware that official communications from KCTCS to outside audiences are governed by KCTCS policy. This includes the creation of social networking sites and profiles. You must submit a request to Marketing and Public Relations before creating a social networking site or profile in the name of KCTCS or its associated entities. You may not create an official KCTCS web presence without approval.

2. Abide by relevant policies. Remember that KCTCS, its colleges, and other associated entities are all governed by approved standards and procedures when it comes to the web.

3. Consider your resources. Social networking is a potentially powerful tool for recruitment, advocacy, and communications. Since most social networking tools are free, it’s tempting to jump right in. But remember that there are many official communications channels at KCTCS; and they all require dedicated, talented employees to maintain. Assigning employees to manage social networking sites may not be the best use of their time, especially if your public website or other basic marketing infrastructure is not where it needs to be. Consider taking care of the basics first.

4. Remember quality. If you have an approved site, you are representing KCTCS in an official capacity online. That means you have a responsibility to ensure all information is accurate, is maintained in a timely fashion, and is well written.

5. Protect confidential information and proprietary information. Do not post confidential or proprietary information about KCTCS, students, employees, or alumni. Employees must still follow all federal requirements such as FERPA, KCTCS technology use policy, and Web policy when communicating online.

   Academic speech will be protected in all cases, but shall not be assumed to supersede relevant policies or legal requirements.

   **4.20.2.2 As an Individual…**

1. Employees are personally responsible for content they publish on blogs, wikis, or other user-generated media on personal social media sites.

2. If you post content on a non-KCTCS site that relates to KCTCS, follow these guidelines:
   a. Make sure the content is accurate. Reporting inaccurate information about KCTCS, even on a non-KCTCS web property, can lead to disciplinary action.
   b. Make sure the content is appropriate. You have an individual right to free speech, but be sure your speech does not defame or libel your fellow employees or KCTCS. Be sure it does not create a threatening or harassing environment for a colleague. If you have a problem with a KCTCS employee, consider addressing that problem with your supervisor, Human Resources, or other formal channels.
   c. Make sure the content is public. Proprietary KCTCS information is not appropriate to share. This includes student information (governed by FERPA), security, safety, or any other information that is internal to KCTCS. Information that is not publicly available, but is subject to publication should be requested through a formal open records request to
KCTCS. You do not have the authority as an employee to publish KCTCS information without permission.

3. Use a disclaimer on content published to any website where reference is made to the work you do or subjects associated with KCTCS. Make it clear the postings represent personal opinions and do not represent the positions, strategies, or opinions of KCTCS.

4. Respect copyright laws.

5. Do not cite or reference information from others without consent from that party.

6. If you have identified yourself as a member of KCTCS ensure your profile and related content is consistent with how you wish to present yourself to colleagues and students.

KCTCS has a long-established policy of respecting the intellectual property (copyright) of others and of protecting its own intellectual property. Just as we take care in our physical-world activities to avoid infringement of intellectual property rights and to provide proper attribution of such rights, so we must in our activities in social networking environments.

4.20.2.3 Best Practices for Social Media

When posting on behalf of a KCTCS unit or a KCTCS college, the following should be considered.

Think Twice: Privacy does not exist in the world of social media. Please consider what effect your post could have on both the poster and the college. Search engines can turn up social media results years after they have been posted, and comments can be forwarded and copied.

Check Twice: Please be sure all posts contain accurate information, are grammatically correct, and do not contain any misspellings.

Be Polite: Remember that social media is an open platform and posts should encourage active discussions, even of opposing ideas. Don’t post any material that is profane, libelous, obscene, threatening, abusive, harassing, hateful, defamatory, or embarrassing. If someone else posts any such material, please remove it and notify that person that such behavior is not tolerated on KCTCS social media channels.

Listen: Observe before you begin posting. Take notice of what people are talking about and what they are interested, then add value to the discussion by posting on similar topics with helpful or interesting information.

4.20.2.4 KCTCS Social Media Approval Procedure

For social media websites that represent KCTCS, the colleges, programs and initiatives in an official capacity as defined above, the following approval procedure is applicable:
A. Site Administrator’s must submit a completed Social Media Needs Assessment Form before creating the social media web entity. This form is provided by the College Public Relations Office or the System Office Department of Marketing and Communications.

B. After completing the Social Media Needs Assessment Form, the social media page administrator must gain approval in writing from the College Public Relations Office or the System Office Department of Marketing and Communications.

C. Social media profile images must follow KCTCS brand guidelines for logo usage and any other applicable standards (i.e., color palette, fonts, etc.). These must be approved by the System Office Department of Marketing and Communications before the webpage can be published.

The System Office Department of Marketing and Communications reserves the right to overrule Social Media Page permissions granted at the college level.

- Facebook Pages
- Twitter Channels
- Flicker Accounts
- YouTube Channels

4.20.2.5 Encounters with Inappropriate Behavior

KCTCS strives to create an environment that is safe and comfortable for all. However, KCTCS cannot control and is not responsible for the activity inside virtual worlds or within social networking environments. If you are in a virtual environment in conjunction with your work/studies at KCTCS and you encounter behavior that would not be acceptable inside KCTCS, you should “walk away” or even sign out of the virtual environment. You should report abuse to the service provider and the appropriate KCTCS employee. And as always, if you encounter an inappropriate situation in a virtual environment which you believe to be related to or associated with KCTCS, you should bring this to the attention of the appropriate KCTCS employees, as well as your service provider.

4.20.3 KCTCS Students

Social media at KCTCS are primarily web and mobile-based tools for sharing and discussion information. These include social networks, wikis, social media and virtual worlds. Online social media enables college students to share insights, express their opinions and communicate information through online conversations. It is important for students who choose to participate in these conversations to understand what is recommended, expected and required when they discuss KCTCS-related topics, whether at work or on their own time.
These are the official guidelines for participation in any of KCTCS’ official social media pages/sites. We expect all students who participate in social media on behalf of KCTCS to follow these guidelines. The guidelines will continually evolve as new technologies and social networking tools emerge. Currently these guidelines include the following social media:

- Social media and social networking tools (both official KCTCS social media and social media external to KCTCS), such as Facebook, MySpace, Twitter, LinkedIn, YouTube and any additional social media and social networking tools as they become available.
- Blackboard Learn social learning tools for connecting and collaborating with others in courses at your school and at other schools with Blackboard Learn.
- Blogs (both official college-side KCTCS blogs and blogs external to KCTCS).
- Wikis, such as Wikipedia and any other site, where text can be posted.
- Virtual worlds.

Social media can help KCTCS students connect in positive ways. However, there are aspects students should remember when communicating through social media:

- Assume that anything you post is or will become public and that your post may remain on the web and accessible to family, friends, college admission committees and employers far into the future.
- Posting personal identifying information, such as your home address, current location, phone number, birth date or Social Security number may lead to the theft of your identify or other criminal activity.
- Disclosing out-of-town travel or other information may allow someone with a criminal intent to know your locations or plans.
- KCTCS logos or trade names may not be used without prior written permission of the college.
- KCTCS encourages social media users to interact with each other in a respectful and meaningful way.
- KCTCS and its colleges are not responsible for comments or wall postings made by visitors to its official social media channels and reserves the right, at its sole discretion, to screen and remove any content it deems inappropriate, including:
- Any content that harasses, abuses, threatens, or in any other way violates the rights of others.
- Any content that violates the Terms of Services and/or policies set forth by the social media channel being used.
- Any posts containing links.
- Any posts containing commercial content whose primary purpose is to sell a product, a service, or other such practices.

Please be aware that violation of these six (6) guidelines may result in disciplinary action.

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Recommended by: (SIGNED) President, KCTCS Date: 4-25-13
4.21 KCTCS Faculty/Staff Media Relations Policy

4.21.1 Statement of Authority

This policy was established to clarify procedures for interaction with the media at colleges within the Kentucky Community and Technical College System (KCTCS).

KCTCS is committed to open, honest communication with the public, and one important way we communicate is through the media. The colleges and System Office maintain Marketing and Communications Departments (MCD) that are staffed with professionals who are trained to work with the media. This department is the designated contact point for the media and is the source of official information to the media.

4.21.2 Media Calls/Inquiries

All requests for media interviews received by faculty or staff members must be forwarded immediately to the college MCD along with basic information about the reporter, the news outlet, the information requested and the reporter’s deadline. MCD will decide who the appropriate spokesperson is for the situation. Although faculty, staff and students may speak with media, they do not speak FOR the college/KCTCS unless designated by the president and/or MCD staff.

Reporters have strict deadlines that must be met, so it is important we respond quickly to media calls. Media inquiries must be responded to as soon as possible, preferably within one hour.

College personnel approached by the media off-site also are responsible for informing the MCD, if possible before, or immediately upon the conclusion of, the interview. Key details from the interview should be provided, including the reporter’s name, the media outlet represented, the questions asked and the responses given.

If media contact faculty or staff for an interview regarding a subject matter NOT related to KCTCS or a particular college, the MCD staff should still be notified, if the interview will take place on campus. The MCD staff will make sure no information identifying the college is seen in the background or b-roll (video footage/stock video of campus, classrooms, college signs etc. used during television news story).

If you are contacted by a member of the media, immediately refer the call to the MCD. The staff is available 24/7 to consult with administrators, directors, program chairs, faculty and staff about the most effective ways to work with the media.
4.21.3 News Releases/Media Interviews

College departments or programs must coordinate all media events with the MCD. All news releases, media advisories and other story pitches must go through the MCD. The staff strongly encourages faculty and staff to share ideas for possible stories, especially good news, such as awards, student success, events on campus, etc.

If you are seeking publicity, you must provide the MCD staff with as much information as possible so they can draft a release or promote via another communication tool. If you are contacted by the MCD staff for additional information needed in the development of news stories, please respond by the deadline requested. News releases submitted for approval of quotes and program information should be approved within one business day, except in cases where earlier deadlines demand a more immediate response.

Many times the MCD staff are not made aware of newsworthy events until after they have occurred. Usually, that is too late to get publicity. Please contact the MCD staff at least two weeks in advance of your event – sooner if you want to schedule an interview on a morning or noon TV program or a radio talk show.

4.21.4 Media Spokespeople

Generally, someone from the MCD staff or the president serves as spokesperson for the college, but there may be times when it is beneficial to have others serve in that role. All media spokesperson designations are coordinated with the president and/or MCD so that the college speaks with one voice providing consistent messages.

Communications liaisons will assist the MCD staff in its efforts to respond to media inquiries in a timely manner. Communications liaisons should be prepared to meet immediately to discuss media strategies in crisis situations. Individuals selected should have clearance from the president’s office to speak on behalf of the college. Although faculty, staff and students may speak with media, they do not speak FOR the college/KCTCS unless designated by the president and/or MCD staff. Any interviews given by someone who is not a designated spokesperson must include a disclaimer that the interviewee is NOT speaking on behalf of the college/KCTCS.

4.21.5 Media Procedures on College Property

Media are permitted to enter public areas of the campuses, but first should contact the MCD so that the staff can help facilitate visits to campus. To shoot photographs or video, record audio and/or conduct any interview inside college facilities, members of the press must be accompanied by a MCD staff member.

Access to classrooms and offices is not allowed without prior permission from the college. Media personnel who interrupt normal operations or do not comply with KCTCS policy may be asked to leave.
During emergencies, college or other officials may require media to remain within a designated media area for safety reasons.

4.21.6 Crisis Communications

KCTCS has a crisis communications plan in place that clearly defines roles and responsibilities for communicating with various audiences. The college MCD should be contacted immediately in any type of crisis situation on campus. Anyone who has knowledge of a smoldering (potential) crisis should make the department aware immediately.

It is important to limit social media posts during a crisis so that rumors and unconfirmed information are not reported. Official information that has been confirmed by first responders and/or the KCTCS crisis team will be disseminated from the MCD. Please see the KCTCS Social Media Policy for more information.

4.21.7 KCTCS Information Requests

Colleges must consult with the System Office’s MCD before responding to media requests for information relating to presidential searches, legal action, social media crises, academic misconduct, identity theft, security breaches, major campus crimes, allegations of fiscal mismanagement and any issues related to open records requests.

Media requests for public records under the Kentucky Open Records Act should be referred directly to the KCTCS General Counsel. In turn, the Office of General Counsel should inform the KCTCS MCD of any opens records requests originating from the media.

http://www.kctcs.edu/News_and_Events/Marketing_and_Communications/For_the_Media/Open_Records.aspx

Also, questions regarding the Fire Commission, Kentucky Board of Emergency Medical Services, Kentucky Coal Academy and AMTEC should be referred to the System Office’s MCD.
SECTION 5

Financial Related Policies
5.4.1 Kentucky Community and Technical College System
Budgetary Policies and Procedures

5.4.1.1 Budgetary Policies

A. Budgetary Authority

All budgetary matters follow the general organizational structure of the Kentucky Community
and Technical College System (KCTCS) with the KCTCS Board of Regents having the ultimate
and exclusive authority for the approval of the budget. All funds within the general fund,
 auxiliary fund, and restricted fund groups are subject to this policy and may be expended only
for the approved programs and objectives of the respective fund groups. No revenue shall be
expended except upon the establishment of an expenditure authorization approved by the
KCTCS Board of Regents. The exception to this policy is the authorization of expenditures from
accounts created as a result of a contract or grant agreement between KCTCS and an outside
agency. The KCTCS Board of Regents delegates the authority to approve such agreements and
authorizes expenditures to the KCTCS President. If delegated, the KCTCS President must report
to the KCTCS Board of Regents the authorization of such expenditures.

B. Organizational Responsibilities

1. The KCTCS President is responsible for the development and implementation of
 systemwide budget policies and procedures. Responsibility has been delegated to the
KCTCS Vice President primarily responsible for Finance for the development and
submission of the KCTCS budget requests in alignment with the strategic plan, and for
the evaluation of the effectiveness of budget implementation in coordination with the
achievement of program objectives. The Office of the KCTCS President coordinates the
submission and justification of the annual operating budget to the KCTCS Board of
Regents. The Office of the KCTCS President and the KCTCS Vice President also
coordinate the biennial budget request, in alignment with the strategic plan, to the
KCTCS Board of Regents, the Council on Postsecondary Education, and the executive
and legislative branches of state government.

2. Responsibility for management of KCTCS funds rests with the KCTCS President. Budget
authority is delegated to the college president/chief executive officer for funds allocated
to the colleges. Responsibility for management of each KCTCS college’s funds rests with
the college president/chief executive officer. Although the KCTCS President may
delegate authority for systemwide specific fund management, the ultimate responsibility
for KCTCS remains with the KCTCS President.

3. The KCTCS President is responsible for and may delegate the following:

a. To develop and recommend plans for the effective use of resources;

b. To manage programs within allocated resources including the management of
   contract and grant overruns and cost sharing (less than full cost recovery);
c. To operate within approved budget allocations;

d. To allocate funds consistent within approved plans;

e. To ensure that expenditures are consistent with established objectives;

f. To realize estimated revenue or to adjust expenditures in order not to exceed revenue available;

g. To maintain the integrity of revenue and expenditures by fund group (including provisions to ensure that revenue generated by activities in a given fund group is deposited to that same fund group);

h. To require that nonrecurring funds in addition to those approved in the budget process are not used for recurring purposes without prior approval of the KCTCS President; and

i. To ensure conformity with state and KCTCS rules and procedures applicable to the expenditure of funds generally and for purchasing and payment of goods and services specifically.

4. Each college president/chief executive officer is responsible for and may delegate the following:

a. To develop and recommend plans for the effective use of college resources;

b. To manage programs within college resources including the management of contract and grant overruns and cost sharing (less than full cost recovery);

c. To operate within approved budget allocations;

d. To allocate funds consistent within approved KCTCS and college plans;

e. To ensure that expenditures are consistent with established KCTCS and college objectives;

f. To realize estimated revenue or to adjust expenditures in order not to exceed revenue available;

g. To maintain the integrity of revenue and expenditures by fund group (including provisions to ensure that revenue generated by activities in a given fund group is deposited to that same fund group and used with generally accepted accounting practices);
h. To ensure that nonrecurring funds in addition to those approved in the budget process are not used for recurring purposes without approval of the KCTCS President; and

i. To ensure conformity with state and KCTCS rules and procedures applicable to the expenditure of funds generally and for purchasing and payment of goods and services specifically.

C. General Budget and Policy Statement

1. KCTCS shall distribute resources in a manner that supports the achievement of objectives and priorities established during the planning process.

2. The budget is used to establish and implement policies, allocate resources, foster accountability, and translate plans into action. These plans include, but are not limited to, the Strategic Plan and the Six-Year Capital Plan.

3. Recurring expenditures are to be supported by recurring revenue. Approved nonrecurring plans must have any recurring costs identified and adequate recurring financial support ensured. Exceptions to this policy must be reported to, and approved by, the KCTCS President and must include a plan to bring exceptions into compliance with this policy.

D. Biennial Budget Request

1. The biennial budget request will be based on the objectives of the programs for which units are responsible, must set forth the means to be employed in pursuing those objectives, and must describe criteria to be applied in evaluating progress toward objectives.

2. The biennial budget request will be related to specific program objectives, with a dollar value assigned to the achievement of such specific program objectives. The basic budgetary policy places emphasis on programs and the justification for the support of those programs, rather than on an incremental resource allocation. Programs proposed for consideration during the annual operating budget development process will be consistent with priorities included in the college’s biennial budget request. These program proposals must be approved by the KCTCS college’s local board of directors. The college president/chief executive officer must provide explanation and justification to the local board of directors for approval and to the Office of the KCTCS President for any deviation from those priorities.

E. Budget Allocation and Use

1. Funds will be allocated based upon specific objectives agreed upon for a given fiscal year. Funds may be allocated to the colleges for specific expenditure categories (personal services, current expenses, and capital). However, policies formulated from time to time and provisions herein may affect the use of funds within the total allocation.
2. Annual budgetary allocations shall be based on program and resources with respect to the biennial budget request, but will be influenced by changes in the KCTCS request as submitted and effected by the Council on Postsecondary Education, executive branch of state government, and General Assembly. The college presidents/chief executive officers have discretion in the allocation of funds in accordance with the policies set forth in this document.

3. A budget reserve will be budgeted annually by the KCTCS Board of Regents.

4. The capital budget will be submitted as part of the annual operating budget.

5. Physical facilities projects more than $400,000 in scope shall not be reduced or increased without the KCTCS President’s approval.
   
a. The KCTCS President shall make a determination of the initial funding source regarding responsibility for covering overdrafts, regardless of the initial funding source.
   
b. Balances remaining after plant fund accounts are closed shall be lapsed to the KCTCS central clearing account, depending upon the original funding source.

   The KCTCS President shall have the option of reallocating balances to other approved projects or equipment items, or transferring the balances back to the renovation reserve for redistribution within the plant funds.

6. Balances remaining from physical plant projects under $100,000 originally funded from restricted or auxiliary enterprise accounts shall be lapsed to the appropriate fund source.

7. The assignment of funds on a systemwide basis into expenditure accounts and categories of expenditure is the responsibility of the KCTCS President. The allocation of funds on a college basis into expenditure accounts and categories of expenditure is the responsibility of the college president/chief executive officer. After approval by the KCTCS President, the breakdown by account and expenditure category is the basis for the KCTCS college operating budgets which are identified in the KCTCS budget and must be submitted to the KCTCS Board of Regents for approval. Individual salaries will be determined according to guidelines approved by the KCTCS President. Each college president/chief executive officer is responsible for submission of necessary documents to implement the July 1 payroll for their college each year according to procedures set forth. Each college president/chief executive officer is responsible for ensuring that the annual salary authorizations for their college which are submitted to the Payroll Department are the same as those specifically approved for each individual within the salary guidelines established by the KCTCS Office of the President.

8. Expenditures charged to a particular account must be for the accomplishment of those objectives of the program named in that account. Expenditures will not be reduced by utilization of revenue for a non-intended purpose or for any other reason except
correction of an error or in the case of a refund, which occurs during the fiscal year in which the expenditure occurred. Expenditure of funds from nonrecurring sources must be limited to nonrecurring purposes unless prior approval by the KCTCS President has been received. Expenditure of funds within a given fiscal year must be for services rendered during that fiscal year.

F. Revenue Generation

Funds allocated in the annual operating budget will be based on estimates of revenue by source including recharges (recharges represent expenditures of one unit in support of activities of another unit, assuming both units are included in the approved operating budget). Any changes during the year in the planned revenue amounts will require submission of a revised plan of expenditures to the Office of the KCTCS President which sets forth the actions proposed to address the revenue changes. These changes must also be reported to the KCTCS colleges’ board of directors.

In the event actual annual revenues exceed estimated revenues, the KCTCS President may authorize an increase in the current funds expenditure budget in accordance with the Annual Budget Adoption resolution adopted annually by the KCTCS Board of Regents.

G. Budget Changes

Any change in the established priorities or any requested reallocation of funds which involves an alteration in priorities must be approved in the same manner as originally established. Any request involving additional funds, the redistribution of funds, or the establishment of additional expenditure authority must include a statement of the program implication. Requests submitted by a college president/chief executive officer shall be in the context of the change or modification which would occur in the total operations of that college.

Budgetary changes fall into one of the following two categories:

1. Fund Transfer - The redistribution of funds made available to a college president/chief executive officer requires a fund transfer. Authority for processing fund transfers will reside with the KCTCS Budget Office.

2. Budget Revisions - A request for increased (or decreased) expenditure authority based on increased (decreased) revenue and/or increased (decreased) support from other units of KCTCS (recharges) requires a budget revision. Requests which involve budgeting of increases (decreases) in revenue are evaluated in view of program needs and the changes in circumstances since the original budgeting of revenue.

H. Budget Savings

1. Salary savings, either actual or potential, are those funds which have accrued, or will accrue, in a given budgeted position as a result of:
a. A position being vacant for any period of time;
b. A portion of the salary of an incumbent being transferred to another fund source; or
c. A position being filled at less than the budgeted salary amount.

2. Current expense savings are those which result from under expenditure in a particular expense category.

3. The KCTCS President is responsible for the management of budget savings within KCTCS. Savings which are nonrecurring should be used only for nonrecurring purposes. Savings must be used in a manner consistent with established plans and program objectives.

I. Fund Balances

The responsibility for projecting and managing all fund balances generated within KCTCS rests with the KCTCS President. The responsibility for projecting and managing fund balances generated within the college rests with the college president/chief executive officer.

J. Budget Evaluation

Budget evaluation is the assessment of the achievement of established goals and objectives for which funds have been made available. Budget evaluation will be conducted in terms of the following:

1. Effective implementation of approved plans; and

2. Accomplishment of the agreed-upon program objectives, activity indicators, and outcome indicators; and adherence to KCTCS budget policies.

5.4.1.2 Procedures

A. Revenue Estimates

As part of the annual budget cycle, revenue and recharge estimates will be projected for all revenue producing units. These revenue estimates must be realistic and reviewed carefully. Detailed information is required regarding amounts and types of revenue, including support from other units within the KCTCS (recharges).

B. Budget Calendar

The budget calendar for a complete cycle reflects the earliest possible dates for internal decisions, recognizing the external actions of such agencies as the Council on Postsecondary Education and the executive and legislative branches of state government. The budget cycle
covers a two-year period during which the biennial budget request and two annual operating budgets are developed, approved, implemented, and evaluated.

C. Budget Requests

The call for budget requests within KCTCS originates in the Office of the KCTCS Vice President primarily responsible for Finance and is directed to the KCTCS colleges. Budget requests will be of two types:

1. Biennial budget requests are prepared in the winter and spring of each odd-numbered year and are the basis for the integrated budget request which the KCTCS President submits to the KCTCS Board of Regents for approval, and to the Council on Postsecondary Education, the executive branch, and legislative branch of state government. The call for each biennial budget request is incorporated into KCTCS planning cycles; and

2. Operating budget requests are prepared each year and serve as the basis for preparation of the internal operating budget. These requests are prepared in the context of the approved biennial budget request. The call is issued at a time which takes into consideration the convenience of all units involved; however, it is based on actions of the KCTCS Board of Regents.

D. Budget Transfer

The procedures for processing a budget transfer are as follows:

1. The budget transfer form will be prepared with all pertinent information;

2. The KCTCS President and college presidents/Chief executive officers may delegate the signing of budget transfers to a designee.

3. The budget transfer form will contain the recommendations of the college president/Chief executive officer or designee.

4. The budget transfer form will be returned to the college from the KCTCS Office of Budget to the initiating unit from the college bearing an approval or a notification of the insufficiency of funds.

E. Budget Revision

The procedures for processing a budget revision are as follows:

1. The budget revision form will be prepared with all pertinent information;

2. The budget revision form should bear the recommendations of the college president/Chief executive officer or designee;
3. The budget revision form is to be forwarded to the KCTCS Office of Budget for action;

The revision, if approved by the KCTCS President, will be reported to the KCTCS Board of Regents in accordance with the Annual Budget Adoption Resolution adopted annually by the KCTCS Board of Regents.

F. Budget Implementation

KCTCS will be responsible for the implementation of the annual operating budget, as approved by the KCTCS Board of Regents.

G. Capital Outlay and Equipment Procedures

KCTCS’ annual operating budget process shall include the development and submission of an annual capital budget for capital allocations. This budget shall be prepared within guidelines established by the KCTCS President.

5.4.1.3 Definitions

A. Fund Groups

The budget procedure of KCTCS and the annual operating budget of KCTCS covers the major fund groups set forth below:

1. General Fund - Expenditures are supported by revenue from state appropriations, student fees, sales and services, fund balances, and those gifts and grants, endowment incomes, investment incomes, and federal and county appropriations that are not restricted as to purpose by a person or an agency external to KCTCS.

2. Auxiliary Funds - Expenditures are supported by income from the respective components of auxiliary operations, including grills, college-operated vending, and housing and dining operations.

3. Restricted Funds - Expenditures are supported by income restricted for a specific purpose by a person or an agency external to KCTCS.

B. Capital Budgets

1. Physical Facilities

   a. Capital construction and major renovation projects are those projects with a scope of $600,000 or more which (1) have approval in the current biennium by the legislature for state appropriations, debt service, or agency funding (as defined with the Budget of the Commonwealth); or (2) are of an emergency nature or (3) are funded from private or federal sources. These projects require prior approval by the KCTCS Board of Regents, Council on Postsecondary Education, and the legislature.
b. Other renovation projects are those projects with a scope of less than $600,000 and are included in the capital budget as pooled projects within defined categories.

2. Equipment

a. Major equipment items are those with a scope of $200,000 or more which have legislative approval in the current biennium or are funded from private or federal sources.

b. Other equipment items are those with a scope of less than $200,000 which are included in the capital budget as pooled equipment items within defined categories.
5.4.2 Kentucky Community and Technical College System
Physical Facilities and Major Equipment Planning and Management Policies

This policy establishes the basis for procedures and related assignment of responsibilities for the planning and management of the physical facility and equipment needs of the Kentucky Community and Technical College System (KCTCS). This policy recognizes the need, and specifically provides for:

I. General Responsibilities

II. Planning Processes
   A. Campus Physical Development Plans
   B. Space Requirement Plans
   C. Facilities Plans and Major Equipment Plans

III. Management Policies
   A. Capital Construction Policies and Procedures
   B. Real Property Acquisition, Disposition, and Related Policies and Procedures
   C. Allocation of Space
   D. Debt Service Procedures

5.4.2.1 General Responsibilities

The KCTCS President is responsible to the KCTCS Board of Regents for directing the overall planning and management of the physical facilities of the KCTCS. This responsibility entails preserving and enhancing a quality physical environment which provides efficient, functional, and pleasant surroundings for fulfilling KCTCS mission and objectives. It includes providing for effective land use, thoughtful and sensitive integration of buildings and open space, adequate utility and service networks, and safe and accessible vehicular and pedestrian systems.

The KCTCS President delegates authority for accomplishing portions of the KCTCS physical facilities planning and management function to the KCTCS Vice President for Finance as delineated herein. The local college presidents/chief executive officers shall be responsible for developing plans for their areas of responsibility and for the day-to-day management of assigned facilities and campus areas.

5.4.2.2 Planning Processes

Planning shall be focused in college physical development plans, space requirements plans, facility plans, and major equipment plans.
A. Campus Physical Development plans provide a context in which space requirement plans and facility plans are established. Physical development plans define a system, consistent with the KCTCS mission and strategic plans, for land acquisition and utilization, buildings/site densities, parking, vehicular and pedestrian circulation, campus services, building materials, utilities [and] landscaping and signage.

Physical Development Plans are prepared at the direction of the Office of the KCTCS President, with the advice of the KCTCS Vice President for Finance.

Physical Development Plans shall be reviewed and amended as necessary prior to the preparation of six-year capital improvement plans, new building construction, biennial capital budget requests, and major equipment plans, but may be amended more frequently as needed. Modifications to the campus physical development plans shall be submitted to the KCTCS Vice President for Finance for review and recommendation to the KCTCS President.

B. Space Requirement Plans analyze the current use of space, project space requirements for planned academic and support programs, compare existing space utilization to projected space needs, and serve as a basis for college facility plans. Each college shall prepare biennially, as part of the six-year planning process, space requirement plans, within the context of established information and guidelines.

C. Facilities Plans and Major Equipment Plans

1. Facility Plans are an integral part of KCTCS strategic planning and include six-year capital improvement plans, biennial capital budget requests, and annual capital budgets. Facility planning is an essential part of the college’s comprehensive planning process and is dependent upon, and interacts with academic and financial planning. The primary purpose of facility planning is to identify logically and systematically the physical resources required to support current and future KCTCS goals, objectives, and programs.

The KCTCS will develop as part of strategic planning, facilities plans which include: (1) status reports on the facility plans prepared for the current biennium and (2) prioritized facility plans, to include land acquisitions and dispositions, proposed for each of the forthcoming two biennia.

2. Major Movable Equipment Plans are required for individual items of movable equipment equal to or exceeding $100,000, and serve a purpose similar to facility plans in the KCTCS long range planning process. Major Movable Equipment Plans shall be submitted by each college for inclusion
in the KCTCS improvement plans, biennial capital budget requests, and annual capital budgets.

3. Prioritization of Capital Projects and Major Movable Equipment Items:
The college presidents/Chief Executive Officers shall prepare and submit to the KCTCS Vice President for Finance prioritized proposals of capital projects and major movable equipment items for inclusion in their respective six-year capital improvement plans and biennial capital budget requests as appropriate. These proposals should clearly identify the source of funds (including lease-purchase or similar financing arrangements) for each project and item of equipment. The KCTCS Facilities Management shall coordinate the submission of the prioritized list to the Office of the KCTCS President.

5.4.2.3 Management Policies

A. Capital Construction Policies and Procedures

Individual capital projects which involve the construction, demolition, renovation, or repair of college facilities shall be accomplished in strict accordance with all applicable state and federal ordinances, statutes, and regulations having jurisdiction. All projects estimated to cost $20,000 or more shall be administered through the Finance and Administration Cabinet by the Department of Facilities Management.

B. Real Property Acquisition and Disposition

The KCTCS President shall have the administrative responsibility for all land acquisitions and dispositions including contractual agreements. Land acquisitions and dispositions shall be managed in the context of approved campus physical development plans except as authorized by the KCTCS President.

C. Allocation of Space

The KCTCS President, or his designee, is responsible for the general allocation of space as a resource at the KCTCS. Space in the KCTCS which is vacated in whole or in part for the occupation of a newly constructed or acquired space must be specifically reallocated.

KCTCS space may be rented in accordance with established KCTCS procedures only after it has been determined that there is no use for such space for current or future programs. Agencies and organizations allied with the KCTCS shall be given consideration in the allocation of available space. The rent charged for available space, except in cases approved by the KCTCS President or his designee, shall be sufficient to cover all costs involved.
Pursuant to established schedules and formats, reports on all space occupied by KCTCS colleges and System Office shall be submitted to the KCTCS President or his designee. The KCTCS President or his designee shall determine that adequate space is available to accommodate grant proposals before such proposals are submitted to sponsoring agencies.

D. Debt Service Procedures

The scheduling of projects which are funded through the issuance of bonds, or other type debt instruments shall be consistent with the debt service authority approved by the Kentucky General Assembly regarding total debt authority and annual debt service amounts.

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5.4.3 Kentucky Community and Technical College System
Refund Policy

All credit tuition is refundable based on the length of an academic session. Student charges will
vary by service type and may or may not be non-refundable depending on the charge type and
whether the charge is for credit, noncredit, online, or customized course. An academic session is
defined as an enrollment/class scheduling period within an academic term. An academic term is
defined as an administrative time period containing one or more sessions.

Non-credit tuition and charges vary by course development, logistics, and level of client required
customization. Refund conditions for non-credit tuition and charges are published at the time of
course registration.

In order for a student to receive a refund, a student must officially withdraw within the refund
period specified within this policy. Academic status and eligibility for student financial aid may
be affected if the student reduces his/her course load below 12 credit hours for full-time or 6
credit hours for part-time status.

To assure recovery of federal financial aid funds, the Kentucky Community and Technical
College System adopted the Federal Return of Title IV Funds policy as described in section

KCTCS colleges offer institutionally developed special examinations to demonstrate mastery of
course content and receive credit toward program requirements. Special examinations are course
specific and charges are separate from regular tuition charges. Special examination charges are
payable at the time the examination is scheduled.

Students who are enrolled in courses from which they elect to take a special examination in lieu
of completing the course must officially withdraw from the course. The withdrawal date
determines the status of the student’s assessment, refund, and grade for the enrollment period.
All special examination credit is awarded using the test credit process without a grade awarded
on the current term grade report.

The college president/Chief Executive Officer (CEO) is authorized to approve and implement
limited exceptions to this refund policy. All exceptions granted must be documented in writing
and documentation retained for audit purposes. CEO exceptions shall not relieve the student of
the responsibility to provide official notification of withdrawal to the college as an eligibility
requirement to receive a refund. All exceptions to the refund policy must ensure compliance
with relevant regulations promulgated by authorized agencies of the federal, state and local
government.

The KCTCS Chancellor may approve non-refundable tuition and/or charges for specific
programs with enrollment limitations.
16-Week Session

A student who officially withdraws from a 16-week session credit course shall be entitled to a 100 percent refund of tuition paid, or cancellation of the amount of tuition owed for the session if the withdrawal is within the first seven (7) calendar days of the session. The first seven (7) calendar days of the session includes all Saturdays and Sundays, but excludes KCTCS recognized holidays. Charges for services are non-refundable unless specifically stated as refundable.

A student who officially withdraws from a 16-week session credit course from the 8th through the 29th calendar days shall be entitled to a 50 percent refund of tuition paid, or 50 percent cancellation of the amount of tuition owed for the session.

No refund shall be granted to a student who officially withdraws from a 16-week session credit course after the 29th calendar day of the session.

8-Week Session

A student who officially withdraws from an 8-week session credit course shall be entitled to a 100 percent refund of tuition paid, or cancellation of the amount of tuition owed for the session if the withdrawal is within the first four (4) calendar days of the session. The first four (4) calendar days of the session include all Saturdays and Sundays, but exclude KCTCS recognized holidays. Charges for services are non-refundable unless specifically stated as refundable.

A student who officially withdraws from an 8-week session credit course from the 5th through the 15th calendar days shall be entitled to a 50 percent refund of tuition paid, or 50 percent cancellation of the amount of tuition owed for the session.

No refund shall be granted to a student who officially withdraws from an 8-week session credit course after the 15th calendar day of the session.

6-Week Session

A student who officially withdraws from a 6-week session credit course shall be entitled to a 100 percent refund of tuition paid, or cancellation of the amount of tuition owed for the session if the withdrawal is within the first three (3) calendar days of the session. The first three (3) calendar days of the session include all Saturdays and Sundays, but exclude KCTCS recognized holidays. Charges for services are non-refundable unless specifically stated as refundable.

A student who officially withdraws from a 6-week session credit course from the 4th through the 11th calendar days shall be entitled to a 50 percent refund of tuition paid, or 50 percent cancellation of the amount of tuition owed for the session.

No refund shall be granted to a student who officially withdraws from a 6-week session credit course after the 11th calendar day of the session.
4-Week Session

A student who officially withdraws from a 4-week session credit course shall be entitled to a 100 percent refund of tuition paid, or cancellation of the amount of tuition owed for the session if the withdrawal is on or before the first (1) calendar day of the session. A student who officially withdraws from a 4-week session credit course from 2nd calendar day through the 7th calendar day a student shall be entitled to a 50 percent refund of tuition paid, or 50 percent cancellation of the amount of tuition owed for the session. Charges for services are non-refundable unless specifically stated as refundable.

No refund shall be granted to a student who officially withdraws from a 4-week session credit course after the 7th calendar day of the session.

**KCTCS Online Learn by Term Courses***

Refunds for KCTCS *Online Learn by Term* course sessions are prorated according to the length of the session in proportion to the traditional 16-week session. Charges for services for *KCTCS Online Learn by Term* courses are non-refundable unless specifically stated as refundable.

In abbreviated table format, KCTCS’ refund policy for credit tuition for *KCTCS Online Learn by Term* courses is as follows:

<table>
<thead>
<tr>
<th>Session</th>
<th>100%</th>
<th>50%</th>
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<tr>
<td>16-week</td>
<td>Within 7th day</td>
<td>8th-29th days</td>
<td>After 29th day</td>
</tr>
<tr>
<td>8-week</td>
<td>Within 4th day</td>
<td>5th-15th days</td>
<td>After 15th day</td>
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<tr>
<td>6-week</td>
<td>Within 3rd day</td>
<td>4th-11th days</td>
<td>After 11th day</td>
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<td>4-week</td>
<td>Within 1st day</td>
<td>2nd-7th days</td>
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<tr>
<td>Irregular</td>
<td>Prorated</td>
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*Calendar days of the session, including all Saturdays and Sundays, but excluding KCTCS recognized holidays.

**KCTCS Online Learn on Demand**

*KCTCS Online Learn on Demand* courses tuition and charges are assessed at the time of registration and based upon a per credit hour rate approved for all KCTCS colleges regardless of whether the courses are taken during the day, evening, night and/or on weekends and regardless of whether the courses are taken for credit or audit purposes. Fractional credit hour tuition and charges are assessed for fractional credit offerings (e.g., a student taking ¼ credit hour course would be assessed ¼ rate of student with same residency taking a 1 credit hour course). Charges for services are non-refundable unless specifically stated as refundable.
In abbreviated table format, KCTCS’ refund policy for credit tuition for *KCTCS Online Learn on Demand* courses is as follows:

<table>
<thead>
<tr>
<th>Session</th>
<th>100%</th>
<th>50%</th>
<th>No Refund</th>
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</thead>
<tbody>
<tr>
<td>16week</td>
<td>Within 7&lt;sup&gt;th&lt;/sup&gt; day</td>
<td>8&lt;sup&gt;th&lt;/sup&gt;-29&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 29&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>15week</td>
<td>Within 7&lt;sup&gt;th&lt;/sup&gt; day</td>
<td>8&lt;sup&gt;th&lt;/sup&gt;-27&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 28&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>14week</td>
<td>Within 6&lt;sup&gt;th&lt;/sup&gt; day</td>
<td>7&lt;sup&gt;th&lt;/sup&gt;-25&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 25&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>13week</td>
<td>Within 6&lt;sup&gt;th&lt;/sup&gt; day</td>
<td>7&lt;sup&gt;th&lt;/sup&gt;-24&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 24&lt;sup&gt;th&lt;/sup&gt; day</td>
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<td>12week</td>
<td>Within 5&lt;sup&gt;th&lt;/sup&gt; day</td>
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<td>11week</td>
<td>Within 5&lt;sup&gt;th&lt;/sup&gt; day</td>
<td>6&lt;sup&gt;th&lt;/sup&gt;-20&lt;sup&gt;th&lt;/sup&gt; days</td>
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<tr>
<td>8week</td>
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<td>5&lt;sup&gt;th&lt;/sup&gt;-15&lt;sup&gt;th&lt;/sup&gt; days</td>
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<td>7week</td>
<td>Within 3&lt;sup&gt;rd&lt;/sup&gt; day</td>
<td>4&lt;sup&gt;th&lt;/sup&gt;-13&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 13&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>6week</td>
<td>Within 2&lt;sup&gt;nd&lt;/sup&gt; day</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt;-10&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 10&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>5week</td>
<td>Within 2&lt;sup&gt;nd&lt;/sup&gt; day</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt;-9&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 9&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>4week</td>
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<td>4&lt;sup&gt;th&lt;/sup&gt;-7&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 7&lt;sup&gt;th&lt;/sup&gt; day</td>
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<tr>
<td>3week</td>
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<td>2&lt;sup&gt;nd&lt;/sup&gt;-5&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 5&lt;sup&gt;th&lt;/sup&gt; day</td>
</tr>
<tr>
<td>2week</td>
<td>Within 1&lt;sup&gt;st&lt;/sup&gt; day</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;-4&lt;sup&gt;th&lt;/sup&gt; days</td>
<td>After 4&lt;sup&gt;th&lt;/sup&gt; day</td>
</tr>
<tr>
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<td>Within 1&lt;sup&gt;st&lt;/sup&gt; day</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;-2&lt;sup&gt;nd&lt;/sup&gt; days</td>
<td>After 2&lt;sup&gt;nd&lt;/sup&gt; day</td>
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*Calendar days of the session, including all Saturdays and Sundays, but excluding KCTCS recognized holidays.*
5.4.4.1 Procedures for Out-of-State Tuition Waiver Policy

The Commonwealth of Kentucky has entered into tuition reciprocity agreements with a number of states contiguous to Kentucky. Those agreements generally provide for residents of selected counties in those states to attend selected institutions of postsecondary education in Kentucky (including some KCTCS colleges) at Kentucky in-state tuition rates.

This KCTCS policy provides an opportunity for any KCTCS college to provide, under certain conditions described below, tuition waivers to residents of selected counties in other states not covered for a KCTCS college by any of the Commonwealth of Kentucky interstate tuition reciprocity agreements.

1. The college president/ceo must submit to the chancellor for review and the KCTCS President for approval an out-of-state tuition waiver plan. This plan must include:
   a. A listing of the out-of-state counties to which the waiver is to apply;
   b. Baseline data on the number of students served from those counties for each of the past three years;
   c. Evidence that students in the identified counties would be well served by expanded access to the programs of the KCTCS colleges;
   d. A marketing plan and enrollment increase projection for the first three years that the out-of-state tuition waiver plan is in effect;
   e. Demonstration of financial feasibility, including evidence that within three years the annual tuition generated from the increased number of students in the identified counties will equal the average tuition generated by students from those counties during the three baseline years.

2. All students enrolled under the plan must:
   a. Meet program eligibility requirements;
   b. Be formally enrolled at the KCTCS college;
   c. Be assessed out-of-state tuition, and
   d. Request a waiver of out-of-state tuition in writing.

3. Under the auspices of a duly approved out-of-state tuition waiver plan, the college president shall have the authority to grant a waiver of the student having to pay out-of-state tuition. The waiver must be in writing and retained for audit purposes.

4. The difference between in-state tuition and out-of-state tuition will be recorded accordingly:
   a. Students receiving the waiver will pay tuition at the in-state rate.
   b. The college granting the waiver will expense the difference in tuition as a waiver.
The KCTCS President has the prerogative of reviewing a college's out-of-state tuition waiver program at any time, and may require revisions and amendments as necessary. The KCTCS President may revoke approval for college plans for any reason, including failure to adhere to the conditions listed above and overall fiscal viability.

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(SIGNED) 11-26-02  (SIGNED) 11-26-02
5.4.5 Kentucky Community and Technical College System Treasury Management Policies

5.4.5.1 Cash Management Program

5.4.5.1.1 Authority and Responsibility

The ultimate responsibility and authority for the financial management of the cash management program rests with the KCTCS Board of Regents. The KCTCS Board of Regents at its April 30, 1999 meeting delegated the financial management responsibility of the cash management program and other assets of KCTCS to the KCTCS President (KCTCS Board of Regents Resolution authorizing KCTCS Officers to perform necessary financial transactions). These delegated responsibilities include the establishment of cash management policies and guidelines, establishing and maintaining banking and other financial relationships, and to sign checks, drafts, orders and other necessary documents for the payment of money upon the active accounts on behalf of the KCTCS. The KCTCS Board further designated the KCTCS President, KCTCS Vice President primarily responsible for Finance, and the Assistant Treasurer as the appropriate officers of the KCTCS to perform these financial transactions.

The Assistant Treasurer will be responsible for the daily management and oversight of the Cash Management Program under the supervision of the KCTCS President and KCTCS Vice President primarily responsible for Finance in accordance with the guidelines established in this document. All employees of the KCTCS assigned daily cash management duties, such as depositing funds and requesting checks on the active accounts of KCTCS, will perform these duties in accordance with the guidelines established in the KCTCS Business Procedures Manual.

5.4.5.1.2 Collection of Funds

- Receipts collected by the KCTCS colleges will be deposited daily into the college's local depository bank account.
- Receipts received by the System Office will be deposited daily to the KCTCS Central Depository Bank.
- Receipts are processed in accordance with the guidelines established in the KCTCS Business Procedures Manual.

5.4.5.1.3 Transfer of Receipts to Appropriate Accounts

- Receipts deposited by the colleges in their local depository bank account will be transferred to the Central Depository Bank no less than weekly by means of electronic funds transfer (ACH).
- Kentucky Revised Statute 41.070 requires that all receipts of state money, which we classify as current unrestricted funds, be deposited in appropriate accounts with the State Treasury within thirty days from the date of receipt. These funds will be accumulated in the Central Depository and transferred to the State Treasury in accordance with Statute.
• All private funds, which include private gifts and grants and contracts, will be accumulated in the Central Depository pending their expenditure.

5.4.5.1.4 Disbursement of Funds

• All expenditures of KCTCS funds will be processed by the System Office through the Central Depository.
• Separate controlled disbursement accounts have been established with the Central Depository for payroll and vendor expenditures.
• Expenditures of private funds will be funded by deposits accumulated in the Central Depository. Deposits accumulated in State Treasury accounts will fund expenditures of current unrestricted funds. Funds will be received daily from the State Treasury via wire transfer to fund all KCTCS current unrestricted fund expenditures as incurred.
• Expenditures are processed in accordance with the guidelines established in the KCTCS Business Procedures Manual.

5.4.5.1.5 Central Depository Bank Account Structure

The Central Depository Bank is the primary cash management vehicle of the KCTCS. The account structure with the Central Depository is designed to maximize cash availability for investment purposes, provide for the safety of deposited funds, and provide an efficient and effective system for managing daily cash flow activities.

The account structure consists of a central depository concentration account and two zero-balance controlled disbursement accounts.

Central Depository Concentration Account
All available balances are maintained in the concentration account for investment purposes. On an operational basis, all daily deposits, wire transfers, and ACH transactions will be made to this account.

Controlled Disbursement Accounts
All disbursements by check will flow through the controlled disbursement accounts, one established for payroll and one for vendor payments. The controlled disbursement accounts will be reimbursed for all checks presented for payment that day with an automatic transfer from the concentration account, resulting in the accounts having a zero balance at the end of the day.

Additional Accounts
Additional depository and disbursement accounts may be established with the Central Depository as conditions warrant.

5.4.5.1.6 Investment of Central Depository Bank Balances

All available balances remaining in the Central Depository concentration account at the end of the business day will be automatically swept and invested in an overnight repurchase agreement.
with the Central Depository Bank. The repurchase agreement will be fully secured by U.S. Treasury and/or federal agency securities.

Central Depository Bank balances may be invested in other appropriate investment vehicles in accordance with the KCTCS Current Operating Funds Statement of Investment Policies, Objectives and Guidelines.

5.4.5.1.7 Cash Management Services Provided by the Central Depository

As part of the KCTCS contract for transactional banking services with the Central Depository, the KCTCS will be provided:

- PC based treasury management software linking KCTCS management directly with the Central Depository to provide:
  - Daily balance, transaction, and check presentment reporting for all accounts
  - Initiation of wire and ACH transactions
  - Electronic stop payment requests
  - Direct deposit processing
  - Images of all paid checks
  - Account reconciliation and positive pay services

5.4.5.2 Current Operating Funds

5.4.5.2.1 Overview

The current operating funds of the Kentucky Community and Technical College System (KCTCS) consist of current unrestricted and current restricted funds. These funds are immediately available for expenditure in support of current operations and typically have short-term investment time horizons.

Current unrestricted funds are required to be held on deposit with the Commonwealth of Kentucky State Treasury in accordance with KRS 41.070. KCTCS unrestricted funds eligible to receive investment earnings are invested in the Commonwealth of Kentucky Intermediate-term Investment Pool (Pool) per the direction of the State Investment Commission. Day-to-day investment management responsibilities of the Pool have been delegated by the State Investment Commission to the Office of Financial Management (OFM).

Restricted current funds are held on deposit with the KCTCS Central Depository Bank. These funds are generally expended in the near term but in some cases may not be required for expenditure until some future date. An example of funds not required currently for expenditure would be restricted gifts whose charitable purpose supports future expenditure needs, such as private funding for building projects pending approval of the State Legislature.
All funds held on deposit with the KCTCS Central Depository Bank will initially be invested in overnight repurchase agreements of U. S. Treasury and Federal Agency securities with the Central Depository Bank. Funds identified as not required for expenditure in the near term may be invested in one or more categories of permissible investments as outlined in this policy.

5.4.5.2.2 Authority and Responsibility

The ultimate authority and responsibility for the financial management of the current operating funds rests with the KCTCS Board of Regents. The KCTCS Board of Regents at its April 30, 1999 meeting delegated the financial management responsibilities of the current operating funds and other assets of KCTCS to the KCTCS President. These delegated responsibilities include the establishment of investment objectives, selecting permissible investments, selection of investment management and support services, and review of investment performance and policy decisions.

The KCTCS President has appointed an Investment Committee consisting of the KCTCS Vice President for Finance, Vice President for Advancement, and the Assistant Treasurer of KCTCS. The Investment Committee will advise the KCTCS President on all current operating funds investment issues. The KCTCS Vice President for Finance and the Assistant Treasurer are responsible for the day-to-day oversight and management of the KCTCS Current Operating Funds investments within these policies and guidelines and under the supervision of the KCTCS President.

5.4.5.2.3 Investment Objective

The investment objective of the current operating funds investment program is to maximize returns consistent with safety of principal, liquidity, and the period of investment. Due to the short-term investment time horizon of these funds, safety of principal and liquidity are considered the primary factors in investment decisions.

5.4.5.2.4 Permissible Investments

Permissible investments of current operating funds are restricted to:

1. The Commonwealth of Kentucky Intermediate-term Investment Pool
2. Direct obligations of the U.S. Treasury
3. Securities issued by federal agencies
4. Repurchase agreements of U.S. Treasury and federal agency securities
5. Investment Advisor funds meeting the above criteria

Investments in direct obligations of the U. S. Treasury, federal agency, and repurchase agreement securities will generally be limited to maturities of up to 24 months at the time of purchase. Investments in the Commonwealth of Kentucky Intermediate-term Investment Pool will be selected by OFM with permitted investments and maturities as set forth in KRS 42.500 and as
further limited by 200 KAR Chapter 14. Investments in Investment Advisor funds will be in accordance with the current operating guidelines for each fund as established.

5.4.5.2.5 Investment Performance Objectives

The investment performance objectives for current operating funds under this policy are as follows:

1. For short term investments such as overnight repurchase agreements, the investment performance objective is to achieve an annual return in excess of the average 90-day U. S. Treasury bill return.

2. For all other permissible investments, the investment performance objective is to achieve an annual return in excess of the Merrill Lynch 1-3 Year Treasury Index.

5.4.5.2.6 Current Operating Funds Investment Consultant

KCTCS may require periodic consulting services. These services can include review of investment performance results with comparisons to appropriate benchmarks, assistance with development of policies and guidelines, and periodic review of capital markets and the economy.

An independent Performance Evaluation service may be utilized to ensure that all investment funds engaged by the KCTCS are competitive in the market and their performance meets the needs and expectations of the KCTCS.

5.4.5.3 Long-Term Investment Funds

5.4.5.3.1 Overview

The long-term investment funds of the Kentucky Community and Technical College System (KCTCS) consist of funds set aside to meet future liability payments, the payment of which will not occur for a period of at least five to ten years. This portfolio will be managed for a 10-year time horizon.

5.4.5.3.2 Authority and Responsibility

The ultimate authority and responsibility for the financial management of the current operating funds rests with the KCTCS Board of Regents. The KCTCS Board of Regents at its April 30, 1999 meeting delegated the financial management responsibilities of the current operating funds and other assets of KCTCS to the KCTCS President. These delegated responsibilities include the establishment of investment objectives, selecting permissible investments, selection of investment management and support services, and review of investment performance and policy decisions.
The KCTCS President has appointed an Investment Committee consisting of the KCTCS Vice President for Finance, Vice President for Advancement, and the Assistant Treasurer of KCTCS. The Investment Committee will advise the KCTCS President on all current operating funds investment issues. The KCTCS Vice President for Finance and the Assistant Treasurer are responsible for the day-to-day oversight and management of the KCTCS Long-Term Operating Funds investments within these policies and guidelines and under the supervision of the KCTCS President.

5.4.5.3.3 Investment Objective

The investment objective of the long-term operating funds investment program is to maximize investment returns relative to the returns of operating funds investments. This program has a 10-year investment horizon, so the safety of principal and the liquidity of investments are priorities within this time horizon.

5.4.5.3.4 Long-Term Asset Allocation Policy

Investments will be diversified within fixed income and equity securities so as to provide a balance that will enhance total return while avoiding undue risk concentration in any single asset class.

The long-term asset allocation ranges will be 0 - 35% in equity strategies and 65 – 100% in fixed income strategies. The asset allocation policy targets are 25% equities and 75% fixed income. The portfolio allocations may be over or under the policy targets, but within the policy ranges, in order to adjust for perceived market conditions. The asset allocation policy targets will be reviewed periodically and may be adjusted as necessary and subject to the approval of the KCTCS President.

Fixed income strategies are intended to provide current income, serve as a hedge against deflation, and to reduce overall volatility of investment returns. Permissible fixed income investment strategies include: core fixed income, global bonds, high yield, U.S. Treasuries and Treasury Inflation-Protected Securities (TIPS), cash equivalents, relative value and event driven hedged strategies.

Equity investments are intended to provide long-term capital appreciation. Permissible investments include global equities, hedged strategies, and real assets.

The KCTCS Investment Committee must approve asset classes and asset class allocation targets within permissible investments prior to investment purchases by its investment manager(s).

The Long-Term Investments portfolio will not invest in illiquid investments. An “illiquid” investment is defined as having a lock-up of more than one year at the time of investment. Investments that may be redeemed on a daily, monthly, quarterly, semi-annual, or annual basis are permissible.
5.4.5.3.5 Rebalancing Policy

The purpose of rebalancing is to control portfolio risk and maintain the policy asset allocation within the targeted ranges. The Portfolio will be rebalanced as necessary, making use of spending payments to the extent possible and considering the transaction costs involved in the rebalancing. Tactical rebalancing, which represents portfolio positioning to opportunistically capture short term market anomalies, is permissible as long as the trades do not violate the stated ranges for each asset class and do not cause undue expense to the portfolio.

5.4.5.3.6 Investment Performance Objectives

The performance benchmark for the Long-Term Investments Portfolio will be a composite consisting of 25% S&P 500 Index and 75% Barclays Capital U.S. Aggregate Bond Index.

5.4.5.3.7 Long-Term Investment Funds Investment Consultant

KCTCS may require periodic consulting services. These services can include review of investment performance results with comparisons to appropriate benchmarks, assistance with development of policies and guidelines, and periodic review of capital markets and the economy.

An independent Performance Evaluation service may be utilized to ensure that all investment funds engaged by the KCTCS are competitive in the market and their performance meets the needs and expectations of the KCTCS.

5.4.5.4 Endowment Funds

The Kentucky Community and Technical College System (KCTCS) Endowment is an aggregation of gifts provided by donors with the requirement they be held and invested in perpetuity to generate earnings now and in future years to support the donor’s intended purpose. The endowment provides stability since the principal cannot be spent, and earnings are generated year after year. An endowed gift keeps giving over time.

The KCTCS has a fiduciary responsibility to manage the endowment prudently and to preserve the purchasing power of the fund in order to provide equitable support to present and future generations. There is a legal and moral obligation to donors who have intended that their gifts provide support in perpetuity.

Endowment funds are managed in accordance with The Uniform Prudent Management of Institutional Funds Act (KRS 273.520 to 273.590), that specifically requires trustees to consider both the long-term and short-term needs of the system. Prudent management of the endowment requires due diligence in seeking to fully maximize returns without exposing the assets to undue risk. In recognition of its fiduciary responsibility, the KCTCS has adopted the following endowment management policies, objectives and guidelines. These policies and guidelines may
be amended periodically based on current operating, market and other conditions affecting KCTCS.

5.4.5.4.1 Authority and Responsibility

The ultimate authority and responsibility for the financial management of the Endowment rests with the KCTCS Board of Regents. The KCTCS Board of Regents at its April 30, 1999 meeting delegated the financial management responsibilities of the endowment and other assets of KCTCS to the KCTCS President. These delegated responsibilities include the establishment of endowment financial and investment objectives, spending policies, asset allocation policies and strategies, selection of investment management and support services, and review of investment performance and policy decisions.

The KCTCS President has appointed an Investment Committee consisting of the KCTCS Vice President for Finance, Vice President for Institutional Advancement, and the Assistant Treasurer of KCTCS. The Investment Committee will advise the KCTCS President on all endowment investment policy issues, to include asset allocation, spending policy, and investment management. The KCTCS Vice President for Finance and the Assistant Treasurer are responsible for the day-to-day oversight and management of the KCTCS Endowment within these policies and guidelines and under the supervision of the KCTCS President.

5.4.5.4.2 Statement of Financial and Investment Objectives

The financial and investment objective for the Endowment is to preserve and increase the purchasing power of principal and income by maximizing real total return (adjusted for inflation), subject to risk constraints, and to achieve financial equilibrium by balancing annual spending and real total return.

5.4.5.4.3 Endowment Asset Allocation Policy

Allocating funds among asset classes (stocks, bonds, etc.) is the most important policy decision for achieving the long-term financial and investment objectives. Endowments have different purposes, different investment strategies and different time horizons compared to other types of invested assets. Investment decisions should achieve the objective of maximum total return over the long-term, consistent with minimizing risk and meeting liquidity needs. Investments will be diversified within equity, fixed income, and alternative asset securities so as to provide a balance that will enhance total return while avoiding undue risk concentration in any single asset class.

The long-term asset allocation range will be 65 – 85% in equity securities and 15 – 35% in fixed income securities. The target asset allocation is established at 75% equities and 25% fixed income. The portfolio allocations may be over or under the policy targets, but within the policy ranges, in order to adjust for perceived market conditions. The asset allocation policy targets will be reviewed periodically and may be adjusted as necessary and subject to the approval of the KCTCS President.
Fixed income strategies are intended to provide current income, serve as a hedge against deflation, and to reduce overall volatility of investment returns. Permissible fixed income investment strategies include: core fixed income, global bonds, high yield, U.S. Treasuries and TIPS, cash equivalents, relative value and event driven hedged strategies, and private real estate.

Equity investments are intended to provide long-term capital appreciation. Permissible equity investment strategies include: global equities (e.g. U.S., non-U.S, and emerging markets), hedged strategies (e.g. long/short equity, diversifying trading strategies, global macro), commodities, distressed debt, private equity, venture capital, and natural resources.

The KCTCS Investment Committee must approve asset classes and asset class allocation targets within permissible investments prior to investment purchases by its investment manager(s).

Liquidity Policy – One way of increasing expected return of the portfolio is to invest in long-term investments. However, the Endowment must still be managed to provide liquidity as needed. Therefore, illiquid investments will comprise no more than 20 percent of the Endowment portfolio. An “illiquid” investment is defined as having a lock-up of more than one year at the time of investment.

### 5.4.5.4.4 Rebalancing Policy

The purpose of rebalancing is to control portfolio risk and maintain the policy asset allocation within the targeted ranges. The Pool will be rebalanced as necessary, making use of spending payments to the extent possible and considering the transaction costs involved in the rebalancing. Tactical rebalancing, which represents portfolio positioning to opportunistically capture short term market anomalies, is permissible as long as the trades do not violate the stated ranges for each asset class and do not cause undue expense to the portfolio.

### 5.4.5.4.5 Investment Manager Structure

Professional investment management will be engaged for the investment and reinvestment of endowment assets.

A complementary investment management structure, with multiple managers (funds) of contrasting philosophies and styles, and a mix of alternative investments deemed appropriate by the Investment Committee will be utilized. The use of a complementary structure for investments is desirable because of the cycles in market performance. The market tends to reward contrasting manager philosophies and styles (value vs. growth, large-cap vs. small-cap, international vs. domestic, etc.) at different times, with the result that better performing managers and funds are often more volatile than the market. By utilizing multiple managers and funds with different philosophies and styles, the Endowment should be able to capture the benefits of excess returns with less volatility (i.e., some managers and funds will outperform the market when others underperform).
5.4.5.4.6 Endowment Spending Policy

The Endowment spending policy establishes the annual payout of investment earnings for expenditure in support of the donor’s intended purpose. The spending policy seeks to establish equilibrium between the need for current earnings for expenditure and the need to grow earnings over time to offset the effects of inflation.

The Endowment spending policy is determined in unison with asset allocation policies in order to balance expected real return (inflation adjusted) on investments with annual distributions of investment earnings. The KCTCS Investment Committee will recommend to the KCTCS President annually for approval the spending policy rate for distributions of endowment earnings for the upcoming fiscal year. The rate will be established prior to February 28 each year. Distributions of earnings from the Endowment to support expenditures are expected to be equal to or less than actual real returns, therefore achieving the financial objective of preserving the value of the endowment assets and related revenue stream over time. Expenditures are supported first from current income (interest and dividends) and, as required, from capital gains.

5.4.5.4.7 Investment Performance Objectives

The annual performance objective of the Endowment is to rank in the top half of all endowment funds as published in the National Association of College and University Business Officers (NACUBO) Endowment Study over rolling five-year periods. The performance objective of each individual portfolio is to achieve an average annual rate of total return over time, net of fees, at least equal to the rate of return of an appropriate market index.

Investment performance data will be provided by KCTCS’s investment advisors or consultant through monthly, quarterly, and year-to-date reports. Reports shall include the total return for each fund with comparison to their appropriate benchmark (as selected by the Investment Committee).

5.4.5.4.8 Endowment Custodian

The custodian for the KCTCS Endowment investments is responsible for:

- Normal custodial functions, including security safekeeping, collections of income, settlement of trades, collection of proceeds of maturing securities, distribution of income, and daily investment of cash.
- Account statements and reports.
- Global custody services.
- Rate of return calculations.
5.4.5.4.9  Endowment Investment Consultant

KCTCS may require periodic consulting services. These services can include review of investment performance results with comparisons to appropriate benchmarks, asset allocation analysis and recommendations, assistance with development of policies and guidelines, and periodic review of capital markets and the economy.

An independent Performance Evaluation service may be utilized to ensure that all investment funds engaged by the KCTCS are competitive in the market and their performance meets the needs and expectations of the KCTCS.

5.4.5.4.10  Restricted Investments

Certain funds are received by the KCTCS through donations wherein the donor has placed restrictions on the form of investment to which these amounts may be applied, whether directly by donating specific investments or indirectly by specifying the purchase of a particular investment asset class.

Such funds will be invested in accordance with the donor's requirement to the extent such requirement is a condition of the gift, and will be segregated from the total pool of available funds subject to the present investment guidelines with respect to asset allocation.
SECTION 6

Student Affairs Related Policies
6.2 Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974, as amended, (the “Act”), is a federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students must be made available. Each KCTCS college shall maintain the confidentiality of student educational records in accordance with the provisions of the Act and shall accord all the rights under the Act to students who are declared independent and who are or have been in attendance at a KCTCS college. This policy shall apply to all applicable students, regardless of mode of course delivery.

6.2.1 Rights of Inspection

The Act provides students with the right to inspect and review information contained in their education records; to challenge the contents of those records which students consider to be inaccurate, misleading, or otherwise in violation of their privacy or other rights; to have a hearing if the outcome of the challenge is unsatisfactory; and to submit explanatory statements for inclusion in their files if the decision of the hearing panels is unacceptable. The Registrar at each KCTCS college is assigned to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial files; and academic cooperative education and placement records.

6.2.2 Education Records: Definition

Education records are records directly related to a student which are maintained by each applicable KCTCS college. Education records do not include the following:

1. Records of instructional, supervisory, and administrative personnel, and ancillary educational personnel in the sole possession of the creator and are not accessible or revealed to any other individual except a substitute who may temporarily perform the duties of the creator;

2. Records of a law enforcement unit of KCTCS which are maintained separate from education records, are maintained solely for law enforcement purposes, and are not disclosed to individuals other than law enforcement officers of the same jurisdiction;

3. Records relating to individuals who are employed by a KCTCS college or the System Office and are made exclusively with regard to such individuals in their capacity as employees and are not available for another purpose; (records of persons who are employed solely as a consequence of college attendance, e.g., work-study students, however, are education records);

4. Records created and maintained by a physician, a psychiatrist, a psychologist, or other recognized professional or paraprofessional, such as student health records to be used solely in connection with the provision of treatment to the student and not disclosed to anyone other than for treatment purposes, provided that records
may be disclosed to physicians or professionals of student’s choice. Treatment in
this context, however, does not include remedial education activities or other
activities which are part of the program of instruction at KCTCS colleges; and

5. Records of an institution which contain only information relating to a person after
that person is no longer a student at the institution; e.g., accomplishments of
alumni.

6.2.3 Request for Review

Students wishing to review their education records must make a written request to the Registrar
of the applicable KCTCS college who has custody of the record, listing the item or items to be
reviewed. Only those records covered by the Act will be available for review. The items
requested shall be made available no later than 45 calendar days following receipt of the written
request. Students have the right to a copy of their education records when failure to provide a
copy of the record would prevent the student from inspecting and reviewing the record. A copy
of the academic record may be refused if a “hold” for non-payment of financial obligation exists.
The copies shall be made at the student’s expense. The fee for making copies of the education
record is set by each institution and must be paid at the time the copy is requested.

6.2.4 Limitations on Students Rights

There are some limitations on the rights of students to inspect records. The students shall have
no right of inspection or review of:

1. Financial information submitted by their parents;

2. Confidential letters or recommendations in the student file prior to January 1,
1975, if such documents were intended to be confidential and were used only for
the purpose intended;

3. Confidential letters or recommendations in the file subsequent to January 1, 1975,
associated with admissions, employment, or job placement; or the receipt of an
honor or honorary recognition if the student has waived the student’s right to
inspect such document(s); and

4. Education records containing information about more than one (1) student, in
which case the applicable KCTCS college will permit access only to that part of
the record pertaining to the inquiring student.

6.2.5 Waiver of Student’s Rights

Students may waive any or all of their rights under the Act. KCTCS does not require waivers
and no institutional service shall be denied students who fail to supply waivers. All waivers
must be in writing and signed by the student. Students may waive their rights to inspect and
review either an individual document (e.g., a letter of recommendation) or classes of documents
The items or documents to which students have waived the right of access shall be used only for the purpose(s) for which they are collected. If used for other purposes, the waivers shall be void and the documents may be inspected by the student. The student may revoke the waiver in writing, but by revoking it, they do not regain the right to inspect and review documents collected while the waiver was in force.

### 6.2.6 Consent Provisions

No person outside KCTCS shall have access to nor shall KCTCS disclose any personally identifiable information from students’ education records without the written consent of the student. The consent must specify the records to be released, the purpose of the disclosure, the party or class of parties to whom disclosure may be made; and must be signed and dated by the student. There are, however, exceptions to the consent policy and KCTCS reserves the right, as allowed under the Act, to disclose education records or components thereof without written consent to:

1. Personnel within the KCTCS who demonstrate a need to know and who act in the student’s educational interest including faculty, administration, and professional employees and other persons who manage student records;

2. Officials of other institutions at which the student seeks to enroll, on the condition that the applicable KCTCS college or the System Office makes a reasonable attempt to inform the student of the disclosure at the student’s last known address, unless the student initiated the request to transfer;

3. Officials of other schools at which the student is currently enrolled;

4. Persons or organizations providing the student financial aid in order to determine the amount of, eligibility for, and conditions of an award, and to enforce the terms of the award;

5. Accrediting organizations carrying out their accrediting functions;

6. Authorized representatives of the Controller General of the United States, the Secretary of the Department of Education, and state educational authorities only if the information is necessary for audit and evaluation of federal or state supported programs;

7. State and federal officials to whom disclosure is required by state statute adopted prior to November 19, 1974;

8. Organizations conducting studies to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction, so long as there is no further external disclosure of personally identifiable information and the information is destroyed when no longer necessary for the projects;
9. Parents of dependent students who have established the student’s status as a dependent according to Internal Revenue Code of 1954, Section 152 (as amended). This requires a certified copy of the parent’s most recent Federal Income Tax Form;

10. Persons in compliance with a judicial order or a lawfully issued subpoena if reasonable effort is made to notify the student; and

11. Appropriate persons in a health or safety emergency, so long as (1) there is a serious threat to the student or others, (2) the knowledge of the information is necessary to meet the emergency, (3) time is of the essence, and (4) the persons to whom the information is disclosed are in a position to deal with the emergency.

6.2.7 Institutional Record of Disclosure

KCTCS shall keep a written record of all such exceptional disclosures and the student shall have the right to inspect that record. The record shall include the names of parties or agencies to whom disclosure is made, the legitimate reasons for the disclosure, and the date of the disclosure. No record of disclosure shall be required for those requests made by students for their own use, those disclosures made with the written consent of the students, those made to officials, or those specified as Directory Information as described below in paragraph 6.2.8.

6.2.8 Disclosure of Education Record Information

With the exception of the exceptions to disclosure of education records noted in paragraph 6.2.6, the KCTCS shall obtain written consent from students before disclosing any personally identifiable information from their education record. Such written consent for disclosure must:

a) specify the records to be released;

b) state the purpose of the disclosure;

c) identify the party or class of parties to whom disclosure may be made; and

d) be signed and dated by the student.

All such consents shall be maintained in the education record file of the student.

6.2.9 Directory Information

In its discretion, a KCTCS college or the System Office, as appropriate, may provide Directory Information in accordance with the provisions of the Act to include: student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Students may withhold Directory Information by notifying designated officials in writing within ten (10) calendar days from the first scheduled day of class of the fall term. All written requests for non-disclosure will be honored by the KCTCS college for one (1) academic year. Requests to withhold Directory Information must be filed annually thereafter.
6.2.10 Challenge of Contents of Education Records

Students who believe that their education records contain information that is inaccurate or misleading or is otherwise in violation of their privacy or other rights may discuss their concerns informally with a designated official. If the decision of that person is in agreement with the student’s request, the appropriate records shall be amended and the student shall be notified in writing of the amendment(s). If the decision is not in agreement, the student shall be notified within fifteen (15) calendar days that the records will not be amended and the student shall be notified by the official of the student’s right to a hearing. Student requests for a formal hearing must be made in writing within thirty (30) calendar days from the mailing of notice to the designated official who, within thirty (30) days of receipt of the written request, shall inform the student of the date, time, and place of the hearing. The student shall be afforded a full and fair opportunity to present evidence relevant to the issue(s) raised. If desired, the student may be assisted or represented, at their own expense, at the hearing by one (1) or more persons of their choice, including an attorney. The hearing may be conducted by any party, including an official of the applicable KCTCS college, so long as the person does not have a direct interest in the outcome of the hearing. The hearing which will adjudicate such challenges will be held by the committee appointed by the college president/chief executive officer. The decision of the hearing panel shall be final, shall be based solely on the evidence presented at the hearing, shall be in writing, and shall summarize the evidence and state the reasons for the decision. The written report shall be mailed to the student and any concerned party within thirty (30) calendar days of the date of the hearing.

A. If the hearing panel determines that the information at issue is inaccurate, misleading, or a violation of privacy or other rights, the student’s record shall be amended in accordance with the decision and the student shall be so informed in writing.

B. If the hearing panel decision is unsatisfactory to the student, the student may place with the education record a statement(s) commenting on the information in the record, or statement setting forth any reasons for disagreeing with the decision of the hearing panel. The statement(s) shall be placed in the education record and shall be maintained as part of the record and shall be released whenever the records in question are disclosed to an authorized party. Such rights of challenge, however, cannot be used to question substantive educational judgments which are correctly recorded (e.g., course grades with which the student disagrees).

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the college president/chief executive officer of the applicable KCTCS college to aid them in filing a complaint with the Family Educational Rights and Privacy Act Office, Department of Education, Room 40784, Switzer Building, Washington, DC 20202.
6.2.11 Destruction of Records

Once a student has requested access to their records, such student’s record shall not be destroyed until inspection and review have been provided. The following items shall not be destroyed or removed from the record: a) “explanations” placed in the record by the student and b) records of disclosure and requests for disclosures. Each KCTCS college and the System Office reserves the right to destroy information contained in student records and files when information on file is no longer valid or useful, such as letters of recommendation once they have been used for their original purpose.

6.2.12 Housing of Student Records

Student records are maintained in the KCTCS Enterprise Content Management System in accordance with KCTCS Administrative Policy (2.4.2) governing document imaging and capture processes.
6.4 Kentucky Community and Technical College System Boards of Student Publications

I. Responsibility for Student Publications

Jurisdiction over campus-wide student publications of a KCTCS college shall be vested in a Board of Student Publications reporting to the college president/chief executive officer or designee. Jurisdiction means the responsibility for the fiscal management, the editorial policies, and the general operation of the student publications. A campus-wide student publication is defined as a publication which meets all of the following criteria: (a) any enrolled student is eligible to participate in its publication, (b) it is published for a campus-wide audience, and (c) it is supported in whole or in part by KCTCS funds.

II. Composition of the Board of Student Publications

Membership on a College Board of Student Publications will include, but is not limited to, the advisers and editors of student publications and representatives from the faculty, staff, and student body. One or more members-at-large may be appointed from the alumni, professional journalists, or public-at-large. Members of the Board will be appointed by the college president/chief executive officer.

III. The Role of the Board of Student Publications

A. Consistent with the general philosophy of providing a free and responsive press on the college campus and consistent with the Code of Student Conduct, the Board of Student Publications shall be responsible for the development and promulgation of a statement of policy for the guidance of the editorial staffs of publications under the Board’s jurisdiction. This statement will deal with operational, editorial, and financial policies of student publications and shall be submitted by the college president/chief executive officer to the KCTCS Office of Student Affairs for approval.

B. The Board of Student Publications shall be available for immediate consultation with the editor and/or adviser; its role shall be one of policy interpretation and not one of censorship.

C. The Board of Student Publications shall advise and consult with the student publications advisers and editors regarding financial management of the publications under the Board’s jurisdiction. The Board shall approve budget proposals prior to submission to the college president/chief executive officer.

D. If, after thorough investigation which shall include affording the editor an opportunity to present personal views, the Board should conclude that an editor
has violated the Board’s policies or has otherwise failed to perform appropriate duties as editor, the Board is authorized to take one or more of the following actions in reference to the student’s status as editor: counsel, warn, reprimand, suspend for a specified period of time, or dismiss.
6.5 KCTCS Policies and Procedures for Student Disabilities Services

The Kentucky Community and Technical College System (KCTCS) is committed to providing educational opportunity and full participation for students and prospective students with disabilities. It is the System’s policy that no otherwise qualified person with a disability be excluded from participating in any KCTCS program or activity, be denied the benefits of any KCTCS program or activity, or otherwise be subjected to discrimination with regard to any KCTCS program or activity.

A person with a disability must be ensured access to programs, opportunities and activities at the KCTCS colleges.

Reasonable accommodations must be made to qualifying individuals in the instructional process as well as in institutional and departmental procedures. A “reasonable accommodation” is a change or adjustment within an educational program, activity or service that provides a person with a disability opportunity to participate in the educational process, so long as the accommodation does not fundamentally alter the program or place an undue burden on KCTCS.

The combined efforts of KCTCS departments, offices and personnel are required to achieve excellence in our services to people with disabilities and to administer our services in an equitable and efficient manner.

Federal law, specifically Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, establishes the foundation for educational opportunity. These regulations define a person with a disability as any person who: 1) has a physical or mental impairment which substantially limits one or more major life activities; 2) has a record of such an impairment; or 3) is regarded as having such an impairment.

Policies regarding access for persons with disabilities apply to all KCTCS colleges. Individuals seeking services should contact the appointed person or persons for disability services in the college.

A student may pursue a grievance regarding a disability as set forth in the KCTCS Student Code of Conduct student discrimination grievance procedure.

6.5.1 College Rights and Responsibilities Regarding Student Disability Services

6.5.1.1 KCTCS colleges have the right to:

1. Maintain and require academic and technical standards in their individual programs.

2. Request that the student provide relevant documentation, completed by an appropriate professional source, to verify the disability and the need for reasonable accommodation(s).
3. Discuss a student’s need for reasonable accommodations with the professional source of his/her documentation after obtaining the student’s signed consent authorizing such discussion.

4. Provide reasonable accommodation(s) to KCTCS students on a case-by-case basis.

5. Deny a request for accommodations if the documentation does not identify a specific disability, the documentation fails to verify the need for the requested services, or the documentation is not provided in a timely manner.

6. Deny an accommodation request that is inappropriate or unreasonable and would create an undue hardship on the college.

6.5.1.2 KCTCS colleges have the responsibility to:

1. Provide appropriate settings for our courses, programs, services, jobs, activities, and facilities.

2. Make available information regarding policies and procedures to students with disabilities.

3. Evaluate students on their abilities.

4. Provide reasonable and appropriate accommodations for students with disabilities upon request.

5. Provide access to distance learning courses, web-enhanced courses, and web sites, including forms and other documents made available for download through those web sites and courses.

6. Maintain appropriate confidentiality of records and communication concerning students with disabilities.
6.5.2 Student Rights and Responsibilities Regarding Student Disability Services

6.5.2.1 Every student with a documented disability has the following rights:

1. Access to courses, programs, services, jobs, activities, and facilities available through KCTCS colleges.

2. Access to websites and web developed forms, web enhanced courses and distance learning courses.

3. Reasonable and appropriate accommodations determined on a case-by-case basis.

4. Appropriate confidentiality of all information pertaining to his/her disability with the choice of whom to disclose his/her disability to except as required by law.

5. Access to information.

6.5.2.2 Every student with a disability has the responsibility to:

1. Meet KCTCS college and program qualifications and essential technical, academic, and institutional standards.

2. Identify him/herself to the coordinator of disability services in a timely manner as an individual with a disability when seeking an accommodation.

3. Provide documentation from an appropriate professional source that verifies the nature of the disability and functional limitations.

4. Follow specific procedures for obtaining and using reasonable and appropriate accommodations.

6.5.3 Student Disability Services Policy Guidelines

1. Each college shall have a designated coordinator for disability services. The coordinator shall have the authority to determine eligibility for services and the type and extent of the services.

2. The KCTCS catalog, college handbook, websites and all admissions-related materials shall include the name of the designated coordinator for disability services, the location within the college and the telephone number if different from the main college telephone number, and be easily located in the materials/website.
3. Students who disclose their disability and provide the documentation necessary to determine their accommodation needs shall be provided reasonable and appropriate accommodations.

4. Reasonable and appropriate accommodations and/or auxiliary aids shall be identified for each course and provided to students on a case-by-case basis in accordance with policy.

5. In cases where the severity or nature of the disability makes completion of a specific course unachievable, course substitutions may be made on a case-by-case basis. The course substitution may not constitute a substantial change or alteration to an essential component of the program.

6. Students who think that they have been discriminated against or denied an opportunity because of a disabling condition are encouraged to contact the designated coordinator for disability services promptly in an effort to resolve the problem at an informal level. Students may also choose to pursue a grievance pursuant to the KCTCS Student Code of Conduct regarding the student discrimination grievance procedure.
6.6 Student Harassment or Discrimination Grievance Procedures

The Kentucky Community and Technical College System has zero tolerance for illegal discrimination of any kind. Any student who thinks he/she may have been discriminated against or subjected to harassment by students or employees because of their race, color, national origin, sex, sexual orientation, marital status, religion, beliefs, political affiliation, veteran status, age, or disability (including denial of a request for an accommodation), has the right to pursue an informal and/or formal discrimination grievance. The informal student discrimination grievance procedure is described below.

Complaints relating to sexual misconduct should be made to the College Title IX Coordinator or other college administrator. Such complaints shall be handled in accordance with the Sexual Misconduct Procedure.

The chief student affairs officer or his/her designee shall be responsible for investigating student discrimination grievances. If appropriate, this shall be conducted in collaboration with the college human resources director. Each college shall provide a letter, statement, or poster containing information regarding the KCTCS Student Discrimination Grievance Procedure with the name, address, and phone number of the local chief student affairs officer.

Most difficulties can be resolved by talking to someone. Therefore, students are encouraged to discuss these problems promptly and candidly with the chief student affairs officer or his/her designee.

1. If a student thinks that he/she has been discriminated against, the student shall inform the chief student affairs officer or his/her designee within thirty (30) calendar days of the occurrence of the alleged incident. The chief student affairs officer or his/her designee shall conduct a preliminary investigation of the discrimination grievance.

2. The student, chief student affairs officer or his/her designee, and other involved parties shall work informally to negotiate a solution within fourteen (14) calendar days.

The informal student discrimination grievance procedure shall be completed within forty-four (44) calendar days of the occurrence of the alleged incident.

3. If the grievance is not resolved to the satisfaction of the student through the informal grievance procedure, the student may file a formal appeal according to the KCTCS Student Code of Conduct.
6.7 Policy for Students Called to Active Military Duty

KCTCS students in the National Guard and Reserves and with some prior active duty personnel may be called/recalled to active duty.

KCTCS recognizes and appreciates the important contributions made by these men and women to our country. In support of these students, KCTCS has developed the following procedures to provide each college with maximum flexibility in assisting these students. Students with activation orders or other official documentation will be provided the following options:

1. Withdraw from all classes and 100% of the tuition and mandatory fees would be refunded.

2. Student makes arrangements with his/her instructor(s) for a grade and/or an incomplete (to be made up in the specified time period) in the course(s). The registration would remain intact and tuition and mandatory fees would be assessed in full.

3. If arrangements are made with only some of the student’s instructors for a grade and/or an incomplete, the registration for those courses would remain intact and tuition and mandatory fees would be assessed for those courses. Any courses for which arrangements cannot be made for a grade and/or an incomplete could be dropped and the tuition and mandatory fees for those courses would be refunded.

To be eligible for any of the above options, a copy of activation orders or other official documentation must be provided to the Chief Student Officer or designee.

The option available to the student depends on the point in the semester/term when the student is called to active duty.

Financial aid is refunded in accordance with existing KCTCS and Federal policies for each of the above situations. Inquiries should be directed to the Office of Student Financial Aid.

These procedures do not apply to national guardsmen or reservists who are fulfilling their annual two-week active duty, or to students that enlist into active duty during the semester/term.

A KCTCS employee who is also enrolled as a student at a KCTCS college will follow the KCTCS administrative policy on military leave and the KCTCS human resources procedure related to military leave regarding their employment status. A KCTCS tuition waiver is not refundable under this policy.

6.7.1 Readmission of Service Members

The readmission process of service members who have returned from deployment/active military duty should be minimized to allow a student to return to a KCTCS college without penalty for having left because of such service. Service in the uniformed service means voluntary or involuntary service in the Armed Forces, including the National Guard or Reserve, on active
duty, active duty for training, or full-time National Guard duty under Federal authority, for more
than 30 consecutive days under a call or order to active duty of more than 30 consecutive days.

Prompt readmission means that a college must readmit the student into the next class or classes
in the student’s program beginning after the student provides notice of his or her intent to
reenroll, unless the student requests a later date of readmission, or unusual circumstances require
the college to admit the student at a later date.

Each college will designate one or more offices that the student may contact to provide
information on his or her intent to return after deployment. Information on college contact(s)
should include, but not limited to, the college website, information on campus, and materials
targeting service members being deployed or who have just returned from deployment/active
military duty.
6.8 KCTCS Student Body Co-Presidents

The following process is established for the election of KCTCS Student Body Co-Presidents:

A. Students at each of the 16 KCTCS colleges shall annually elect a college student body president* by secret ballot, beginning spring 2006 and continuing each spring thereafter. The student shall serve as the college student body president for a one-year term, beginning August 1.

B. Each KCTCS college president/chief executive officer shall transmit the name, address, telephone number, and email address of the student elected as the college student body president to the KCTCS Vice President responsible for Student Affairs.

C. College student body presidents will meet in August.

D. At the August meeting of the college student body presidents, the college student body presidents will nominate and elect by secret ballot one KCTCS Student Body Co-President to represent General Education and one KCTCS Student Body Co-President to represent Occupational/Technical Education.

E. The KCTCS Student Body Co-Presidents shall receive a KCTCS Board of Regents scholarship.

F. If a KCTCS Student Body Co-President/KCTCS Student Regent does not retain his/her status as a full-time student in good standing at any time during the academic year or for any other reason resigns this position, the student candidate who received the next highest number of votes cast in the August election shall serve the remainder of the unexpired term as the alternate KCTCS Student Body Co-President/KCTCS Student Regent.

The Assistant Secretary to the KCTCS Board of Regents shall notify the alternate as soon as practicable that the KCTCS Student Body Co-President/KCTCS Student Regent can no longer serve.

* The college student body president may be the Student Government Association (SGA) president.
6.9 KCTCS Criminal Background Check Policy for Allied Health and Nursing Students

KCTCS does not require criminal background checks of its students, but in order to comply with state and/or federal laws, requirements of accrediting bodies, or as a precondition to assignment to or placement with any affiliating agency, colleges may establish policies (with legal review) necessary to comply with clinical agencies’ criminal background check policies. Specifications for required background checks may be established by the college.

Acceptance of a student for placement in a facility will be according to law (if applicable) or at the affiliate agency’s discretion. If an agency’s policy prevents a student from being placed in the facility, or if the student fails to submit to a criminal background screen, the student will not be able to complete the clinical/practicum experience and may be given the choice of failing the course or withdrawing.

Should the agency/affiliate not require a specific vendor, the college will provide students with the name of a vendor or a list of available vendors for the purchase of the required criminal background check. Students will be responsible for the cost of any required background checks.
SECTION 7

Independent Foundations, Grants, Contracts, and Related Policies
7.4 Recognition of Independent Foundations

Any independent, not-for-profit foundation organized for the purpose of raising private funds and working to enhance the programs and services for the Kentucky Community and Technical College System (KCTCS) and/or its colleges shall seek recognition as the fund-raising arm of the institution with which it is associated and shall adhere to KCTCS Board of Regents policy.

7.4.4 Legal Status

A copy of the Articles of Incorporation as recorded with the Secretary of State shall be supplied to the college and be made available for review upon request to officials of KCTCS.

A copy of the By-Laws shall be supplied to the college and be made available for review upon request to officials of KCTCS.

7.4.5 Board of Directors Auditing and Reporting Guidelines

The foundation Board of Directors shall select an independent accounting firm to conduct an annual audit unless the assets of the foundation are less than $100,000. A copy of the annual audit report should be placed on file in the college president/chief executive officer’s office and made available for review upon request by officials of KCTCS. Foundations that are not required to submit annual audits based on these guidelines shall instead provide an annual balance sheet and income statement.

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Recommended by

Date

President, KCTCS

Date
7.5.1 Process and Procedures for Privately Funded Academic Positions

A. Subject to the approval of the KCTCS President and the Board of Regents, academic positions supported with private funds will be established in the academic area of the donor's choice and will bear the donor's name or a name of the donor's selection.

B. Appointments to all academic positions funded fully or in part from private gifts will be made in accordance with KCTCS provisions concerning academic employment.

C. Negotiations or commitments to fill an academic position supported by private gifts will not be undertaken by any faculty member or officer of the college until a proposal for these has been approved by the KCTCS Chancellor.

D. Endowed funds to support academic positions shall be invested in accordance with policies and procedures established by KCTCS for the investment and income distribution of endowed funds.

E. Three categories of privately-funded academic positions will be established: chair, professorship, and lectureship.

1. An Endowed Chair may be established with a minimum endowed gift of $500,000 in accordance with agreements recommended by the KCTCS President and approved by the KCTCS Board of Regents. Income from the endowed fund shall be used to supplement the salary of the holder of the chair at a level commensurate with the individual record, experience, and position of the faculty. Income from the gift may also be used for other professional support of the holder of the chair.

2. An Endowed Professorship may be established with a minimum endowed gift of $100,000 or the equivalent in annual contributions arranged according to agreements recommended by the KCTCS President and approved by the KCTCS Board of Regents. Income from the gift shall be used to supplement the salary of the holder of the professorship at a level commensurate with the individual record, experience, and position in the faculty. Income from the gift may also be used for other professional support of the holder of the professorship.

3. A Lectureship may be established with a contribution in the range of $10,000 to $100,000. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at a college. Unless the funds are endowed to supplement college funds for lectureships, the non-endowed contribution should be sufficient to fully support the remuneration of the lecturer during his/her term of residence. Other accoutrements may be provided for the visiting scholar through regular
budgetary procedures, but no visiting scholar will be remunerated from two or more endowments or gift accounts.
7.6 Policy and Procedures for Private Fund Raising

In accordance with KCTCS Board of Regents Policy Private Fund Raising, the following policy and procedures are set forth:

7.6.4 Coordination of Private Fund Raising

The KCTCS Office of Institutional Advancement shall be responsible for initiating and implementing system-wide coordination of all private fundraising activities in support of KCTCS and/or any or all of its parts, including recognized independent foundations.

7.6.4.1 Solicitation of Major Gifts

The solicitation of gifts of $10,000 or more shall be carefully coordinated between the KCTCS Office of Institutional Advancement, the college development offices, and the recognized foundations to maximize the potential gifts from prospective contributors and to avoid the possible duplication of major gift requests from various parts of KCTCS at the same time. In cases where one or more parts of KCTCS intend to solicit major gifts from the same prospective donor within the same time period, the KCTCS Office of Institutional Advancement shall work closely with the colleges involved to resolve the timing and methods of solicitation in order to maximize the potential gift. The KCTCS Office of Institutional Advancement shall coordinate a list of certain individuals, organizations, corporations, and foundations that are deemed to have such a special relationship to the System that they are not to be solicited without the approval of the KCTCS President.

7.6.4.2 Private Funds Required for State and Federal Grants

The Office of Institutional Advancement shall work closely with the colleges and the KCTCS Office of Sponsored Projects to assess the fund-raising potential for private funds required as matching dollars for any state or federal grants prior to the submission of grant applications that would place such an obligation on the System.

7.6.5 Criteria for Acceptance of Gifts

Gifts shall be accepted that are deemed beneficial to KCTCS. In evaluating the appropriateness of proposed gifts, the following criteria will be considered:

1. How the gift will assist KCTCS in meeting its vision, mission, and goals.
2. The costs involved in the acceptance or use of the gift and the budgetary impact of such costs upon the institution.
3. Conditions attendant to the acceptance of the gift and all ramifications of such conditions upon the programs of the System, its public image, and its philosophical bases.
4. Any real or implied obligations derived from the acceptance of a gift and possible conflicts of interest that may result.
7.6.6 Forms of Gifts

KCTCS shall seek and accept gifts of outright cash, appreciated securities, and life insurance; personal and/or real property; testimonial gifts by will; and certain forms of planned gifts and charitable trusts.

7.6.6.1 Contributions of Property (Gifts-In-Kind)

Contributions of property, generally known as gifts-in-kind, may be accepted by KCTCS and shall be subject to the same criteria for the acceptance of gifts as defined above. Documentation on all proposed contributions of property shall be forwarded to the Office of Institutional Advancement for review by appropriate KCTCS officials prior to acceptance. In cases of computer or technology related gifts, the KCTCS Chief Information Officer shall also review and approve the proposed gift(s) prior to acceptance.

KCTCS will not furnish property appraisals or valuations of property to donors for tax purposes or knowingly participate in a transaction in which the value of a gift is inflated above its fair market value to obtain a tax advantage for the donor. The valuation of gifts-in-kind shall be the fair market value, as stated in writing by the donor for gifts of $5,000 or less or as stated by a qualified third-party appraiser for gifts of more than $5,000. “Fair market value” is defined by the Internal Revenue Service (IRS) as “the price at which property would change hands between a willing buyer and a willing seller, neither having to buy or sell, and both having reasonable knowledge of all the relevant facts.”

7.6.6.2 Restricted Gifts

All gifts accepted by KCTCS and/or any or all of its parts must be used in accordance with restrictions specified by the donor. Donors may restrict their gift(s), whether for immediate use or for endowment, in support of a specific program(s) or purpose(s) in keeping with the mission of KCTCS. Restricted gifts made to the colleges shall be deposited into college gift accounts established by KCTCS for the use and benefit of the colleges for the designated purpose(s) defined by the donor. In a similar fashion, restricted gifts made to the recognized foundations shall be retained by the foundation to be used for the purposes defined by the donor. In cases where the fulfillment of the donor’s intent dictates, the foundation may be requested to transfer the restricted funds to the System or college to meet the requirements imposed by the donor.

7.6.6.3 Unrestricted Gifts

Donors may make unrestricted gift(s) to KCTCS and/or all of it parts, whether for immediate use or for endowment. Unrestricted gifts to the System Office of KCTCS shall be used for system purposes at the discretion of the KCTCS President. Unrestricted gifts to a KCTCS college shall be used at the discretion of the college president/chief executive officer for college purposes within guidelines established by the KCTCS Vice President for Finance and approved by the KCTCS President. Unrestricted gifts made to a recognized foundation shall be used in accordance with policies and procedures established by the foundation’s board of directors.
7.6.6.4 Endowments

KCTCS will accept funds from donors who desire to establish an endowment, meaning the fund corpus shall be invested and only the income distributions therefrom used for expenditures to achieve the endowment’s designated purpose. An endowment agreement between the donor, the president/chief executive officer of the beneficiary institution, and the President of KCTCS shall be prepared for each new endowment fund established through the KCTCS Office of Institutional Advancement and the KCTCS Treasurer. All endowment funds contributed to KCTCS and any or all of its parts shall be invested and managed by KCTCS in accordance with the KCTCS Statement of Investment Policies, Objectives, and Guidelines. Income distributions will be deposited into restricted gift accounts for expenditures by the designated institution as stated in the endowment agreement with the donor. The KCTCS Treasurer and Office of Institutional Advancement shall provide annual reports to the colleges for the purpose of reporting to endowment donors on the investment performance of their respective endowment account(s).

7.6.7 Documentation

In accordance with IRS guidelines, all gifts shall be accompanied by the appropriate and required documentation to determine the exact amount and form(s) of the gift, the intent of the donor, the restrictions, if any, imposed on the use(s) of the gift, and the names and addresses of those persons or entities to whom the gift(s) shall be credited for tax purposes.

7.6.7.1 Processing and Recording

Information related to prospective donors, pledges, gifts, and grants to KCTCS and any or all of its parts, shall be processed and recorded on PeopleSoft Advancement in a manner prescribed by the KCTCS Office of Institutional Advancement. Information and transactions related to prospective donors, pledges, and gifts to recognized independent foundations shall be processed in a manner determined by the foundation. The information and transactions of recognized independent foundations shall be recorded on PeopleSoft Advancement by the college with which it is associated for the purpose of coordination and reporting only.

7.6.7.2 Reporting

The KCTCS Office of Institutional Advancement is designated as the central development office of KCTCS and shall prepare and issue all official reports on private giving on behalf of KCTCS. All gifts received by KCTCS, and all of its parts, including recognized independent foundations, shall be reported in accordance with guidelines and standards of the Council for the Advancement and Support of Education (CASE), the Council for Aid to Education (CAE), the Government Accounting Standards Board (GASB), the Financial Accounting Standards Board (FASB), and the National Association of College and University Business Officers (NACUBO).
7.6.8 Gift Receipting and Acknowledgment

All gifts to KCTCS and any or all of its parts, including recognized foundations, shall be receipted and acknowledged in accordance with requirements of the Internal Revenue Service. Quid pro quo contributions that entitle the donor to receive merchandise, goods, or services, will only be receipted for the amount that exceeds the fair market value of the benefit(s) received.

The KCTCS President shall determine at what levels to send a written expression of appreciation for gifts and pledges to KCTCS and any or all of its parts, including recognized independent foundations. Each KCTCS development office shall prepare and provide receipts to donors for gifts to their respective institutions. Each development office shall also determine at what gift levels various forms of acknowledgment shall be provided to donors to express appreciation for their private support.

7.6.8.1 Donor Recognition

The KCTCS Office of Institutional Advancement shall develop and recommend to the KCTCS President for approval various forms of recognition that are commensurate with the level of private support being received by the System and any or all of its parts, including recognized foundations. The President shall submit for approval by the KCTCS Board of Regents the recognition of donors in the form of named academic positions and named buildings. Colleges are encouraged to create various forms of donor recognition at the local level.

7.6.9 Donor Rights

KCTCS ascribes to the Donor Bill of Rights (attached hereto) and shall make every effort to be aware of and sensitive to the prospective donor’s financial needs and concerns. All KCTCS representatives involved in the solicitation process shall use their best judgment in aiding donors to make appropriate gifts. Neither KCTCS nor any of its parts should knowingly accept a gift that is contrary to the donor’s best interests.

KCTCS will treat donor transactions and all charitable gift instruments as private and confidential to the extent permitted by law. However, a donor may authorize the public announcement of any feature of an agreement. All files will be made available to agents of the Internal Revenue Service. All other requests for information will be honored only if the donor approves the release of information or if current law requires the release of the information.
7.6.10 Ethics

The private fund-raising activities of KCTCS shall be consistent with the ethical code and standards of professional practice as expressed by the Association of Fundraising Professionals (AFP), the Council for Advancement and Support of Education (CASE), and the National Association of College and University Business Officers (NACUBO).
7.7.2 Procedures for Naming Colleges

In accordance with KCTCS Board of Regents Policy Naming Colleges, the following procedures are set forth:

A. The duty of recommending college names shall be vested in a Naming Advisory Committee appointed by and reporting to the KCTCS President. The KCTCS President will seek input from the President's Cabinet, the college presidents/chief executive officers, and other interested parties prior to making final recommendations for college names to the Board of Regents for approval. New or revised college names shall not be used or displayed until officially approved by the KCTCS Board of Regents.

B. For the naming of colleges, the college president/chief executive officer or college leadership shall submit a written request to the chairperson of the Naming Advisory Committee that includes the following:

1. The suitability, background, and significance of the proposed name in accordance with the KCTCS Board of Regents Policy Naming Colleges;
2. Evidence of involvement and endorsements of support from interested parties and those affected by the selection or change of a college name; and
3. The reasons for setting aside the usual criteria in the event a naming request does not conform to stated guidelines.

2-23-01                      5-10-07                      5-10-07
Date Approved by            Date of Last Review     Date of Last Revision
President, KCTCS            (Include all dates in     (Include all dates in
                           chronological order)          chronological order)
(SIGNED)                     5-10-07                      (SIGNED)                     5-10-07
Recommended by              Date                          Recommended by              Date
President, KCTCS             President, KCTCS

7.9 Soliciting, Receiving, Recording, and Administering Grants and Contracts for Sponsored Projects

7.9.1 Introduction

In meeting its obligations for teaching, research, and public service, the KCTCS frequently enters into contractual arrangements with other entities such as the federal government, state and local governments, industry, and private foundations. Faculty and staff participate in these arrangements and KCTCS facilities are used. The following policies and procedures are provided to govern these activities.

7.9.2 Definition of Grants and Contracts for Sponsored Projects

Grants and contracts for sponsored projects represent a contractual obligation between the grantor and the KCTCS for the performance of a specific activity through which the grantor, or sponsor, is entitled to receive some consideration or benefits. The contractual obligation is normally documented by a proposal/award combination, contract, or a written memorandum of agreement. Funds are classified as a grant or contract when any of the following characteristics or conditions exist:

1. KCTCS is required to provide a detailed technical report of the sponsored activity the results of which become the property of the sponsor;

2. Testing or evaluation of products is involved;

3. An activity results in the preparation, synthesis, or separation of a product;

4. KCTCS is required to provide direct consideration or benefits to the sponsor;

5. An activity is directed to satisfying specific sponsor requirements (e.g., terms and conditions stating a specific scope of work to be done); and

6. A specified period of performance is prescribed and termination is at the discretion of the sponsor.

The KCTCS assumes full legal responsibility for complying with all requirements imposed by the grantor or sponsor upon acceptance of grants and contracts for sponsored projects.
7.9.3 Scope

The following policies and procedures shall govern all grants and contracts for sponsored projects undertaken by the KCTCS, with the following exceptions:

1. Earmarked or dedicated state taxes or appropriations;
2. Student aid funds (but not government-funded graduate fellowships, traineeships, research assistantships, etcetera);
3. Major construction and renovation funds; and
4. Private gifts from corporations and foundations requiring a report of expenditures to verify compliance with the donor's intended purpose.

7.9.4 Office of Sponsored Projects and Contracts

The responsibility for the coordination of grants and contracts procurement and management, consistent with KCTCS policies and procedures, of all sponsored projects is primarily assigned to the KCTCS Office of Institutional Advancement.

The Office of Sponsored Projects and Contracts (OSPC), a unit in the Office of KCTCS Institutional Advancement, serves KCTCS colleges in the procurement, review, approval, and submission of proposals. OSPC also has responsibility for ensuring compliance with the terms and conditions of grants and contracts including the issuance of progress, final, and other appropriate reports, excluding financial reports, and for providing general grant, contract, and agreement administration with project sponsors.

7.9.5 Director of the Office of Sponsored Projects and Contracts

The Director of the Office of Sponsored Projects and Contracts (OSPC) is delegated the responsibilities of the Office, and shall, for these purposes, be responsible to the KCTCS Vice President for Institutional Advancement.

The Director of OSPC is delegated responsibility for negotiation of all grants and contracts for sponsored projects, including fixed-price program support agreements, and is authorized to execute contractual documents and accept grants, after consultation; when appropriate, with the unit performing the work of the grant or contract, with the concurrence of the KCTCS Vice President for Institutional Advancement.

This delegated responsibility and authority shall be performed in accordance with established policies and procedures of the KCTCS.
7.9.6 Solicitation of Agreements

A. The Office of Sponsored Projects and Contracts (OSPC), with the concurrence of the KCTCS Vice President for Institutional Advancement and the individuals having responsibilities named in "C" below, and in support of the principal investigator or project director, shall submit all proposals for grants and contracts for sponsored projects in the name of the Kentucky Community and Technical College System (KCTCS). This policy does not prohibit the freedom of members of the faculty and staff to discuss possible projects with potential sponsors; however, discussions with potential grantors or sponsors should be confined to professional and technical matters. KCTCS employees must exercise caution to avoid committing the KCTCS to any action, as only the Director of OSPC, with the concurrence of the KCTCS Vice President for Institutional Advancement, is authorized to execute contractual documents or accept grants or contracts.

B. The KCTCS Vice President for Institutional Advancement, KCTCS Chancellor, other KCTCS Vice Presidents, and KCTCS college presidents/chief executive officers shall establish procedures to ensure that all proposals for grants and contracts, including fixed-price program support agreements and projects not awarded on the basis of a formal proposal, are submitted through OSPC.

C. Funds for a sponsored project usually are awarded on the basis of a formal proposal prepared by a principal investigator. Such proposals shall be reviewed and endorsed on the Internal Approval Form by any affected college president/chief executive officer, division chairperson, director, dean, KCTCS Vice President for Institutional Advancement, KCTCS Chancellor, or KCTCS other Vice Presidents, and then forwarded to OSPC for final review and submission to the sponsor. Proposals which include new courses, unusual financial commitments, new degrees, additional space, experimental animals, human subjects, biohazards, etcetera, shall require approval by the appropriate KCTCS administrator or office with responsibility for each of these activities.

D. After a proposal has been received by the sponsor, OSPC shall conduct all negotiations regarding budget changes, etcetera, with the advice and assistance of the principal investigator and appropriate KCTCS officials.

E. The general policy governing grants and contracts for sponsored projects is that all costs are to be reimbursed by the grantor/sponsor, including salaries of faculty and staff working on the project, fringe benefits, all other direct costs, and full indirect costs as determined with established cost principles for educational institutions.

F. Policy and procedures for approval of sponsored projects are as follows:

1. All proposals for sponsored projects, including fixed-price program support projects and written memoranda of agreements, shall include a
complete budget reflecting full costs of the project. The principal investigator, by signing the Internal Approval Form, certifies that the budget represents the best estimate of full costs, including all salaries of faculty and staff applicable to the project, fringe benefits, full indirect costs, facilities requirements, supplies, equipment, etcetera. All costs not to be reimbursed by the sponsor shall be clearly indicated together with the internal sources of funds to cover these.

2. Chairpersons, chief administrative officers, college presidents/ceos, Vice President for Institutional Advancement, Chancellor and other KCTCS Vice Presidents, as appropriate, shall certify that they have reviewed and approved the proposal, including the full cost budget and sources of internal funds as required to cover un-reimbursed costs.

3. Awards or agreements that provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPC, under specific written delegation from the KCTCS Vice President for Institutional Advancement.

4. Awards or agreements for grants and contracts with matching requirements; those involving special competitive situations wherein the KCTCS makes significant concessions in cost sharing; and those involving significant contributions of space and equipment; or obligations to continue a program beyond the extramural funding period must be approved by the KCTCS Vice President for Institutional Advancement.

5. All other awards or agreements for grants and contracts that do not provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPC, after review and approval by the appropriate sector budget staff, as may be designated by the KCTCS Vice President of Institutional Advancement.

7.9.7 Acceptance

Upon receipt of contractual documents for grants and contracts, the Office of Sponsored Projects and Contracts (OSPC) staff shall review the terms of the contract and compare them with the proposal originally submitted. The contract then shall be reviewed with the principal investigator and the appropriate KCTCS administrator(s), at which time any unusual requirements shall be discussed and specific contract requirements brought to their attention. After this review, any changes shall be negotiated with the sponsor. Significant changes in scope of work, budget, or KCTCS costs shall require the concurrence of those who initially reviewed and approved the proposal under this policy. When all points of disagreement are resolved to the mutual satisfaction of all parties, the contract shall be executed on behalf of the KCTCS by the Director of OSPC.
Quarterly reports shall be prepared by OSPC and submitted to the KCTCS President, the Vice President of Institutional Advancement, KCTCS Chancellor, and other KCTCS Vice Presidents:

1. A report listing all contracts and grants accepted with full cost recovery; and

2. A report listing all contracts and grants accepted with less than full cost recovery, showing amounts and categories of expense, sources and amounts of internal funds to cover unreimbursed costs, and the reasons for acceptance.

Occasionally, proposed contractual documents or agreements are not acceptable. If the differences cannot be negotiated with the sponsor, OSPC shall formally reject the project.
7.10.2 Procedures for Naming of Buildings and Facilities for Private Donors

In accordance with *KCTCS Board of Regents Policy Naming of Buildings and Facilities for Private Donors*, the following procedures are set forth:

A. Requests for naming buildings and facilities for private donors shall be discussed in advance with the KCTCS Office of Institutional Advancement prior to discussing or making a commitment to the donor.

B. An official written request that articulates and documents how the proposed building name complies with the KCTCS Board of Regents policy on *Naming of Buildings and Facilities for Private Donors* shall be directed to the KCTCS President in sufficient time to seek approval by the Named Building Advisory Committee and meet the deadlines for KCTCS Board of Regents consideration.

C. Having received a recommendation from a Named Building Advisory Committee, the KCTCS President shall make final recommendations to the Board of Regents for approval. Interested parties shall hold all recommendations in the strictest confidence until officially approved by the KCTCS Board of Regents. Recommendations for naming a building for an individual, family, business, or organization must follow guidelines set forth in Board policy and be approved by the honoree(s) or family representative(s) of the person(s) being memorialized prior to submission to the Named Building Advisory Committee.

D. Recommendations for named buildings should be submitted and approved prior to the approval of the architect's preliminary drawings. Barring this, building names should be requested in sufficient time for consideration and approval prior to occupancy.

(4-30-99) 9-23-05 9-23-05
Date Approved by Date(s) of Last Review Date(s) of Last Revision
President, KCTCS

(SIGNED) 9-23-05 (SIGNED) 9-23-05
Recommended by Date President, KCTCS Date
7.11 Policy for Financial Disclosure to Avoid Conflict of Interest in Federally Funded Programs

Within the Kentucky Community and Technical College System (KCTCS), the design, conduct, and report of research will be free from real or potential influence by any related Project Director’s or Principal Investigator’s significant financial interest that constitutes a conflict of interest in research.

In accordance with federal regulations to avoid any such financial conflicts of interest, KCTCS establishes this policy that requires key personnel involved in programs funded by the National Science Foundation (NSF) and the U.S. Department of Health and Human Services (DHHS) to complete a Financial Disclosure Report Form that is on file in the KCTCS Office of Sponsored Projects and Contracts (OSPC). This policy is predicated on the expectation that Investigators should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise. To that end, this policy informs Investigators about situations that generate conflicts of interest related to research, provides mechanisms for Investigators and KCTCS to manage those conflicts of interest that arise, and describes situations that are prohibited. Every Investigator has an obligation to become familiar with and abide by the provisions of this policy. If a situation raising questions of conflict of interest arises, an Investigator should discuss the situation with the College official. The KCTCS Vice President for Institutional Advancement is responsible for ensuring implementation of this policy and may suspend all relevant activities until the financial conflict of interest is resolved or other action deemed appropriate by the OSPC is implemented. Violation of any part of these policies may also constitute cause for disciplinary or other administrative action pursuant to the policy.

7.11.1 Definitions

- **Investigator:**
  *Investigator* means any project director, principal investigator, or individual who is responsible for the design, conduct, or reporting of DHHS or NSF sponsored research or proposals for such funding. This definition is not limited to those titled or budgeted as project director, principal investigator, or co-investigator on a particular proposal. The definition may also include collaborators or consultants as appropriate.

- **College Designee:**
  *College Designee* means the individual designated by the President at each College who is responsible for the initial solicitation and review of disclosures of Significant Financial Interests, including those of the Investigator’s family related to the Investigator’s College responsibilities. The College Designee is also responsible for forwarding all Financial Disclosure Report Forms and related documents to the KCTCS Official in OSPC.

- **KCTCS Official:**
  *KCTCS Official* means the individual within the KCTCS OSPC who is responsible for reviewing the Financial Conflict of Interest (FCOI) forms received from the Colleges and System Office to determine if there is a Significant Financial Interest, reporting to DHHS or
NSF, and maintaining a file of all disclosure forms, conflict management plans and related documents for a period of three years from the date the final expenditure report is submitted to DHHS or NSF.

- **Conflict of Interest:**
  A conflict of interest is a situation in which persons affiliated with a project funded by federal sources may have the opportunity to influence the project’s business decisions in ways that could lead to personal gain or give improper advantage to themselves, their spouses, or their dependent children. Such conflicts could affect the design, conduct, or reporting of project results.

- **Completion of a Financial Disclosure Report Form:**
  All Investigators must complete the Financial Disclosure Report Form including the project directors, principal investigators, and any other key personnel who are responsible for the design, conduct, or reporting of a research project funded or proposed for funding by the NSF or the DHHS. Also, any sub-grantees, contractors, or collaborators must fill out a report form or provide certification from their organization that they are in compliance with federal policies regarding Investigator significant financial disclosure.

- **Who Must Actually Disclose Significant Financial Information on the Financial Disclosure Report Form?**
  All Investigators, as defined above, must disclose their significant financial interests related to their college responsibilities which would reasonably appear to be affected by the project. In addition, all Investigators must report the significant financial interests of their spouses and dependent children which would reasonably appear to be affected by the project.

- **Significant Financial Interest:**
  A Significant Financial Interest (SFI) is anything of monetary value received by an Investigator or Investigator’s family from non-KCTCS sources which would reasonably appear to be affected by the project, including but not limited to salary or other payments for services (e.g. consulting fees or honoraria); equity interests (e.g. stocks, stock options, or other ownership interests); and intellectual property rights (e.g. patents, copyrights, and royalties from such rights). Salary, royalties, or other payments are “significant” when the aggregated amount for the Investigator, the Investigator’s spouse, and dependent children over the next 12 months are expected to exceed $5,000. The threshold for disclosing equity interest in a non-publicly traded entity is “any equity.” Remuneration for DHHS grants is accumulated for the past 12 months. Remuneration for NSF grants is for the future 12 months.

  For Investigators, Significant Financial Interest also includes any reimbursed or sponsored travel undertaken by the Investigator and related to their institutional responsibilities. This includes travel that is paid on behalf of the Investigator as well as travel that is reimbursed, even if the exact monetary value is not readily available. It excludes travel reimbursed or sponsored by U.S. Federal, state, or local governmental agencies, U.S. institutions of higher
education, research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers.

**Significant Financial Interest** does NOT include:

1. Salary, royalties, or other remuneration from KCTCS;
2. Income from the authorship of academic or scholarly works;
3. Income from seminars, lectures, or teaching engagements sponsored by or from advisory committees or review panels for U.S. Federal, state, or local governmental agencies; U.S. institutions of higher education; research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers; or
4. Equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

### 7.11.2 Disclosure of Significant Financial Interests

All Investigators are required to disclose their outside financial interests as defined above on an annual and on an ad hoc basis as described below. The OSPC is responsible for the distribution, receipt, processing review, and retention of disclosure forms.

**A. Annual Disclosures**

All Investigators must disclose their Significant Financial Interests that are related to college responsibilities to OSPC on an annual basis. All forms should be submitted to OSPC by March 1 for the previous calendar year or as determined by the sub-recipient.

**B. Ad Hoc Disclosures**

In addition to annual disclosure, certain situations require ad hoc disclosure. All Investigators must disclose their Significant Financial Interests to OSPC within 30 days of their initial appointment or employment.

Prior to entering into DHHS or NSF sponsored projects or applications where the Investigator has a Significant Financial Interest, the Investigator must affirm the currency of the annual disclosure or submit to OSPC an ad hoc updated disclosure of their Significant Financial Interests with the outside entity. OSPC will not submit a research proposal unless the Investigator(s) have submitted such ad hoc disclosures.

In addition, all Investigators must submit to OSPC an ad hoc disclosure of any Significant Financial Interest they acquire or discover during the course of the year within thirty (30) days of discovering or acquiring the Significant Financial Interest.
C. Travel

Investigators must also disclose reimbursed or sponsored travel related to their college responsibilities, as defined above in the definition of Significant Financial Interest. Such disclosures must include, at minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, the duration, and, if known, the monetary value. OSPC will determine if additional information is needed (e.g., the monetary value if not already disclosed) to determine whether the travel constitutes a Financial Conflict of Interest with the Investigator’s research.

7.11.3 Review and Decision of the Institutional Official

If the disclosure form reveals a Significant Financial Interest, it will be reviewed promptly by OSPC for a determination of whether it constitutes a Financial Conflict of Interest. If a Financial Conflict of Interest exists, OSPC shall take action to manage the financial conflict of interest including the reduction or elimination of the conflict, as appropriate.

A Financial Conflict of Interest will exist when OSPC determines that a Significant Financial Interest could directly and significantly affect the design, conduct, or report of DHHS or NSF sponsored research. If OSPC determines that there is a Financial Conflict of Interest that can be managed, they must develop and implement a written management plan. The affected Investigator must formally agree to the proposed management strategies and sign the written management plan before any related DHHS or NSF sponsored research goes forward.

OSPC will periodically review the ongoing activity and monitor the conduct of the activity to ensure open and timely dissemination of the research results and to otherwise oversee compliance with the management plan.

7.11.4 Reporting to DHHS or NSF

OSPC will report financial conflicts of interest or non-compliance to DHHS or NSF in accordance with DHHS or NSF regulations. If the funding for the research is made available from a prime DHHS or NSF awardee, such reports shall be made to the prime awardee prior to the expenditure of any funds and within 60 days of any subsequently identified financial conflict of interest such that the prime awardee may fulfill its reporting obligations to DHHS or NSF.

7.11.5 Investigator Non-Compliance

A. Disciplinary Action

In the event of an Investigator’s failure to comply with this policy, OSPC may suspend all relevant activities or take other disciplinary action until the matter is resolved or other action deemed appropriate by OSPC is implemented.

OSPC’s decision to impose sanctions on an Investigator because of failure to comply with this policy, or failure to comply with the decision of the institutional official, will be described in a written explanation of the decision to the Investigator and notification to
the Investigator of the right to appeal the action taken or to be taken. The institution will promptly notify the DHHS or NSF Awarding Component of the action taken or to be taken. If the funding for the research is made available from a prime DHHS or NSF awardee, such notification shall be made promptly to the prime awardee for reporting to DHHS or NSF.

B. Retrospective Review

Documentation of any retrospective review shall include the project number, project title, Principal Investigator, name of Investigator with the Financial Conflict of Interest, name of the entity with which the Investigator has the Financial Conflict of Interest, reason(s) for the retrospective review, detailed methodology used for the retrospective review, and findings and conclusions of the review.

OSPC shall update any previously submitted report to DHHS or NSF, or the DHHS or NSF awardee relating to the research, specifying the actions that will be taken to manage the Financial Conflict of Interest going forward. This retrospective review will be completed in the manner and within the time frame established in DHHS or NSF regulations. If bias is found, OSPC will promptly notify the DHHS or NSF Awarding Component and submit a mitigation report in accordance with DHHS or NSF regulations. The mitigation report will identify elements documented in the retrospective review, a description of the impact of the bias on the research project, and the plan of action to eliminate or mitigate the effect of the bias.

7.11.6 Record Retention

OSPC will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to DHHS or NSF or to the prime DHHS or NSF awardee, unless any litigation, claim, financial management review, or audit is started before the expiration of the three year period; in that event, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

7.11.7 Confidentiality

To the extent permitted by law, all disclosure forms, conflict management plans, and related information will be confidential. However, OSPC may be required to make such information available to the DHHS or NSF Awarding Component, to a requestor of information concerning financial conflict of interest related to DHHS or NSF funding, or to the primary entity that made the funding available to KCTCS, if requested or required. If KCTCS is requested to provide disclosure forms, conflict management plans, and related information to an outside entity, the Investigator will be informed of this disclosure.

7.11.8 Public Accessibility

Prior to the expenditure of funds, KCTCS will publish on a publicly-accessible website or respond to any requestor within five business days of the request, information concerning any Significant Financial Interest that meets the following criteria:
1. The Significant Financial Interest was disclosed and is still held by the senior and key personnel;
2. A determination has been made that the Significant Financial Interest is related to the DHHS or NSF-funded research; and
3. A determination has been made that the Significant Financial Interest is a Financial Conflict of Interest.

The information to be made available shall be consistent with the requirements of the DHHS or NSF regulations.

7.11.9 Regulatory Authority
This policy implements the requirements of 42 CFR 50 Subpart F and 45 CFR 94; where there are substantive differences between this policy and the requirements, the requirements shall take precedence.

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Date Approved by Date of Last Review Date of Last Revision
President, KCTCS

(SIGNED)  3-13-13  (SIGNED)  3-13-13
Recommended by Date President, KCTCS Date