

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Kentucky Board of Education

Department of Education

(Amendment)

780 KAR 3:020. Compensation plan.

RELATES TO: KRS 156.802(3), 156.808 , 161.605

STATUTORY AUTHORITY: KRS 156.802(3), 156.808

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.808(3)(c) requires the Kentucky Board of Education to promulgate comprehensive administrative regulations to govern the compensation plan for all certified and equivalent staff. KRS 156.808(6)(e) requires the Kentucky Board of Education to promulgate administrative regulations to govern proceedings which shall provide for supplementary information for the salary schedule for certified and equivalent staff. This administrative regulation establishes the compensation plan for certified and equivalent employees subject to the personnel system established under KRS 156.800 to KRS 156.860 of the Kentucky Tech area technology centers and Office of Career and Technical Education central office.

Section 1.

(1) Appointments. A new certified or equivalent employee or reentering certified or equivalent employee shall be appointed at the salary specified on the Minimum Salary Schedule for Certified and Equivalent Staff commensurate with education rank and experience. An employee in an administrative position may be provided an index adjustment commensurate with the scope of administrative or supervisory responsibility in addition to the base salary as specified for the particular job classification.

(2) A retired certified or equivalent employee returning to work in a position covered by the Kentucky Teachers' Retirement System shall not be placed on the salary schedule referenced in this section but shall be paid pursuant to the requirements of KRS 161.605(1) and (2).

Section 2. Salary Adjustments.

(1) Promotion.

(a) A certified or equivalent employee who is promoted to a classified position shall receive a salary increase of five (5) percent unless his current salary is above the minimum on the salary schedule. If the employee's salary is above the minimum, the five (5) percent increase shall be at the discretion of the appointing authority.

(b)

1. A certified or equivalent employee promoted to an unclassified position in a Kentucky Tech area technology center or the Office of Career and Technical Education central office shall receive a salary increase of five (5) percent upon promotion unless his current salary is above the minimum. If the employee's salary is above the minimum, the salary increase shall be at the discretion of the appointing authority.

2. If the promotion is to a position which constitutes an unusual increase in the level of responsibility, the Associate Commissioner may grant upon promotion a ten (10) percent to twenty (20) percent salary increase over the employee's previous salary.

(2) Demotion. A certified or equivalent employee who is demoted shall have his salary adjusted to not more than sixty (60) percent below the proper cell within the salary schedule. This salary shall not exceed ninety-five (95) percent of the salary which the employee was receiving prior to the demotion.

(3) Rank changes. A certified or equivalent employee shall have a salary adjustment retroactive to July 1 for educational rank changes which are confirmed by September 30 of each year.

(4) Other salary adjustments. A full-time permanent employee working as a dual appointment in the certified or equivalent employment may be paid equal to the hourly rate of his full-time position salary, up to one and five-tenths (1.5) times that hourly rate.

Section 3. Salary Advancements.

(1) The Minimum Salary Schedule for Certified and Equivalent Staff shall be approved by the Kentucky Board of Education annually. All certified and equivalent staff shall receive a salary increase not less than the percentage increase provided other elementary and secondary teachers. This increase shall be provided July 1. Salary adjustments for those entitled employees shall be retroactive to July 1 of each year once the salary schedule is confirmed by September 30 of each year.

(2) All certified and equivalent staff shall be entitled to equivalent pay raises provided to other state employees.

(17 Ky.R. 731; eff. 10-14-1990; 18 Ky.R. 3527; eff. 8-1-1992; 32 Ky.R. 966; 1618; eff. 3-31-2006; 35 Ky.R. 1900; 2226; eff. 5-1-2009; Crt eff. 11-16-2018; 48 Ky.R. 2515; eff. 8-30-2022.)

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

JASON E. GLASS, Ed.D., Commissioner & Chief Learner

LU YOUNG, Chairperson

APPROVED BY AGENCY: February 11, 2022

FILED WITH LRC: February 11, 2022 at 4 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held April 29, 2022, at 10:00 a.m. in the State Board Room, 5th Floor, 300 Sower Blvd, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five (5) working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through April 30, 2022.

CONTACT PERSON: Todd G. Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601, phone 502-564-4474, fax 502-564-9321; email regcomments@education.ky.gov.