

## **702 KAR 3:060. Procedure for payment of employees.**

RELATES TO: KRS 157.390, 157.395, 160.291, 160.450, 161.210(1)

STATUTORY AUTHORITY: KRS 156.070(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 160.291 requires for all school employees working on a continuing, regular basis of less than twelve (12) months a year to be paid regularly, on dates determined by the employing board of education, with the gross salary received on each pay date to be equal to the employee's annual salary divided by the number of pay dates and with payments deemed to be for services rendered. KRS 160.450 requires the fiscal year of all school districts to begin on July 1 and end on June 30. KRS 161.210 requires a teacher or other person in a public school to submit reports at the time and in the manner prescribed by the state board. KRS 156.070 requires the Kentucky Board of Education to manage and control public schools. KRS 157.395 requires a local board of education to provide a public school teacher who has attained certification from the National Board for Professional Teaching Standard with an annual salary supplement for the life of the certificate while the teacher is employed as a teacher or mentor in the field of national certification. This administrative regulation establishes procedures relative to payment of certified and classified school employees.

Section 1. A board of education shall establish a calendar for payment of salaries to all school employees working on a continuing, regular basis of less than twelve (12) months a year and may require a teacher to present reports of attendance and other necessary reports before the salary check is delivered.

Section 2. A board of education may adopt a policy whereby employees' salaries may be made payable for a period in excess of the number of months for which the school is operated, not exceeding twelve (12) months if the board adopts one (1) of the following plans:

- (1) The board of education shall write all deferred salary checks on or before June 30 of the current fiscal year and these deferred checks shall then be delivered at the regular pay periods in July and August of the following fiscal year; or
- (2) The board of education shall set up a payroll account into which shall be transferred on the order of the board of education on or before June 30, the gross amount for salaries earned by employees but not paid. The amounts transferred into this payroll account shall be held for the payment of deferred employees' salaries and shall not be used for any other purpose. Payment of salaries from this fund shall be at the regular pay periods in July and August of the following fiscal year.

Section 3. Upon written request to the superintendent by a school district employee, a local board of education shall pay all deferred salary checks to the employee. To comply with the written request, a local board shall provide the deferred checks prior to the end of the fiscal year and no later than the first regular payroll date occurring after completion of the employee's responsibilities or duties.

Section 4.

- (1) A board of education shall pay an annual national board certification salary supplement to a teacher who has attained certification from the National Board for Professional Teaching Standards who works as a teacher or mentor in the field of certification at least fifty (50) percent of the time.
- (2) A board of education shall request reimbursement for salaries supplements paid during a school year by submitting the following information to the Department of Education by May 15 of that school year:
  - (a) Teacher's name;
  - (b) Field of national certification;

- (c) Subject and grade;
- (d) Date of certification;
- (e) For teachers eligible for the first time, the date of completion of all requirements for the National Board for Professional Teaching certificate;
- (f) School name; and
- (g) Reimbursement amount requested.

(3) If an eligible teacher satisfactorily completes all requirements for the National Board for Professional Teaching certificate by September 1 of the school year, the salary supplement shall be added to the teacher's annual salary. If the teacher becomes eligible for the national board certification salary supplement during the school year, the school district shall pay the portion of the salary supplement equal to the portion of the school year during which the teacher was eligible.

(4) If the teacher becomes ineligible for the national board certification salary supplement during the school year, the school district shall pay the portion of the salary supplement equal to the portion of the school year during which the teacher was eligible.

(SBE 21.060; 1 Ky.R. 70; eff. 11-3-1974; 5 Ky.R. 140; eff. 12-6-1978; 7 Ky.R. 246; eff. 10-1-1980; 17 Ky.R. 1549; eff. 12-9-1990; 25 Ky.R. 617; 1045; eff. 11-5-1998; 29 Ky.R. 1338; eff. 1-16-2003; Crt eff. 11-16-2018; 47 Ky.R. 2474; 48 Ky.R. 347; eff. 11-2-2021.)