

 <p><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References 101 KAR 2:221 ACA 4-4093 P&P ACA 3A-20	<p>4.4</p> <p>*</p>	<p>7</p> <p>April 28, 2014</p>
Subject		
		<b>EDUCATIONAL ASSISTANCE PROGRAM</b>

## I. DEFINITIONS

“Educational Assistance Program” means a program for payment to colleges, universities, correspondence schools, educational television and others for Corrections approved job related training for which individual employees receive prior approval.

“Satisfactory grade” is defined in 101 KAR 2:221. A grade of “I” or “incomplete” shall not be a satisfactory grade.

## II. POLICY and PROCEDURES

Correction’s supports continuing education for all classified merit full time employees (FTE) in order to increase their job skills and provide for individual career development. Educational counseling shall be available to employees who wish to improve their job skills or pursue career opportunities through their supervisor and office or institutional personnel officer.

Any employee who is refused educational assistance by his supervisor, office or institutional personnel officer or denied approval by the Division of Personnel shall have the right to a written explanation for the denial.

### A. Source of Funds

1. Funds for payment of educational assistance shall come from total funds appropriated by the General Assembly to each budget unit. In order to provide equal opportunities for employees of all budget units, a set formula shall be developed by Administrative Services based on an average cost per authorized employee.
2. Each budget unit shall be directed at the start of each fiscal year to set aside a sum certain, based on the formula, to provide educational opportunities to staff within the limits of their respective budgets.

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3. Requests to exceed the approved amount shall be approved in advance by Administrative Services. Tuition assistance funds shall be approved within each budget unit on a first-come, first-served basis.
4. Any funds not expended by a budget unit by a designated cut-off date shall become available for expenditure elsewhere within the budget unit or as may be designated by Administrative Services.

#### B. Payment of Funds

1. The Educational Assistance Program provides for the payment of funds directly to the educational institution after the employee has received approval for the courses authorized by the Division of Personnel and Office of Administrative Services in the Department of Corrections.
2. Educational assistance for courses in pursuit of a second undergraduate degree shall not be granted. Requests for specific courses (not associated with pursuit of a degree) may be granted if the courses are directly related to the employee's work.
3. Requests from an employee holding both an undergraduate degree and a master's degree may be granted if the courses are directly related to the employee's work.

#### C. Employees Eligible to Receive Educational Assistance

1. Permanent full-time employees who have satisfactorily completed the initial probationary period shall be eligible to receive educational assistance. Employees in the unclassified service who have completed six (6) months of continuous service shall be eligible to apply for educational assistance.
2. Employees who receive a grade of "I" or "incomplete" for a course for which educational assistance was received shall not be eligible for further educational assistance until the course is completed, unless the employee has reimbursed the agency for the amount expended on the course.
3. Employees who have not complied with the policies and procedures relative to the Educational Assistance Program shall not be eligible for further educational assistance unless the employee has reimbursed the agency for the amount expended on his behalf.

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4. An employee may initiate the request for educational assistance; the office or institution may suggest to the employee that specific courses may help him perform job duties more proficiently; or the office or institution may direct that the employee undertake specific courses.

D. Course Relationship to Employee's Work

1. The courses shall have a clear and direct relationship to the work of the agency and to the improvement of the employee's job effectiveness in his present position, or a position in the agency to which he may reasonably aspire. The appropriateness of courses shall be determined by the course requirements (established curriculum) for the degree being pursued or the relevance to the employee's present job classification. Employees applying for tuition assistance shall attach a copy of the prescribed curriculum for the degree to the Employee Educational Assistance Program form (available at <http://personnel.ky.gov/gsc/eap/>). Employees requesting tuition assistance for courses not associated with the pursuit of a degree shall attach a memorandum of justification to the Employee Educational Assistance form.

E. Funding Limits

Educational assistance may be granted to pay for courses offered by public or private colleges and universities, accredited correspondence school, vocational and secondary schools, and educational television.

1. All employees who live in, or whose work station is in Franklin or an adjoining county, shall receive educational assistance only for courses at Kentucky State University (KSU) unless the course or degree program required is not available there.
2. Correspondence courses shall be approved for employees who live in, or whose workstation is in Franklin County only if a comparable course of in-class instruction is not available at KSU.
3. Educational assistance shall not be granted without justification to cover the costs of educational courses if the same or substantially the same course is available to the employee at less cost from another educational institution.
4. The dollar amount approved for tuition assistance at private colleges or universities shall be limited to the current tuition costs at the four (4) year state university which is located nearest to the employee's county of residence.

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5. Tuition assistance shall not be granted for attendance at out-of-state educational institutions unless the specific course work is not available within the state, and the dollar amount approved for tuition assistance is limited to the current tuition costs at the four (4) year state university which is located nearest to the employee's county of residence. This policy shall not apply if the out-of-state institution is in the state of the employee's residence.
6. The Commissioner may, on a case by case basis, approve exceptions to subsections 2-5 of this section if specific justification exists and, it is in the best interest of Corrections and state government.

E. Who May Approve Educational Assistance Applications

The Department of Corrections Division of Personnel Services shall review all applications for tuition assistance prior to approval. A three-member review board named by the Division Director shall be the final authority for determining the appropriateness of questionable tuition assistance requests and for ruling on any problems or exceptions to policies. The board shall be comprised of one representative each from the Division of Local Facilities, the Office of Adult Institutions, and the Division of Administrative Services.

F. Approved Expenditures

1. Educational assistance may be granted to pay for:
  - a. Laboratory fees;
  - b. Basic and normal costs charged by the institution for actual instruction.
2. Assistance shall not be granted for:
  - a. Late registration fees;
  - b. Graduation fees;
  - c. Parking or transportation;
  - d. Specific courses taken previously by the employee for which he received a passing grade, without prior approval for tuition reimbursement;

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e. Textbooks and other required course supplies.

G. Maximum Allowable Hours

1. Agency paid tuition and expenditures for an employee shall not exceed the following:
  - a. Graduate or professional studies - six (6) semester hours for each regular semester, three (3) semester hours for each summer semester, and three (3) semester hours for each intensive session (for example, intersessions, interim sessions);
  - b. Undergraduate studies - nine (9) semester hours per regular semester, six (6) semester hours per summer semester, and three (3) semester hours per intensive session;
  - c. Non-college studies - nine (9) classroom hours per week (“non-college” means accredited correspondence schools, vocational schools and secondary schools).
2. Refer to 101 KAR 2:221 for other course limits.
3. Maximum limits on the number of college hours for which tuition assistance may be granted are as follows:
  - a. Undergraduate degree (BA or BS)  
130 undergraduate hours or its equivalent in quarter hours
  - b. Graduate degree (MA; MS; MPA)  
36 graduate hours
  - c. Doctorate or Professional degree  
60 graduate hours

H. Advance Authorization Required for Educational Assistance

To receive educational assistance, including tuition reimbursement, the employee shall make application with his supervisor, obtain approval from the office or institutional head, and obtain final approval from the Division of Personnel Services before entering the course.

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## I. Obligations of the Employee

1. An employee who has voluntarily requested approval for, and received educational assistance, shall be obligated to complete the courses for which approval was given, provide proof of a satisfactory grade for completion of the courses within thirty (30) working days after completion of courses, and continue to work for Corrections or another state agency following completion of the course(s) for the six month obligation period.
2. Any employee voluntarily applying for educational assistance shall sign an individual contract acknowledging his obligations and authorizing Corrections to recover all of the educational assistance monies expended on his behalf if:
  - a. The course is dropped, regardless of reason, without the prior approval of the Division of Personnel Services;
  - b. The employee receives duplicate payment for the same courses from any other source (for example, scholarship, veteran's benefit, Pell grant, state grant);
  - c. Any courses are substituted for the courses originally approved, regardless of cause, without the prior approval of the Division of Personnel Services;
  - d. The employee is dismissed or voluntarily terminated prior to the time limit as specified in his individual employee contract with Corrections.
  - e. The employee fails to provide the Division of Personnel Services, within thirty (30) working days after scheduled completion of the course, the completed Student Evaluation of Instruction form, plus evidence of a satisfactory grade in the course for which the assistance was authorized.
  - f. The requirements shall not apply to employees who do not meet the service requirement because of layoffs, reductions in work force, or actions resulting from internal mobility programs or transfer to another state agency.
3. An employee who has been directed by his supervisor, office or institution to take a course under the Educational Assistance Program shall not be required to sign an authorization for recovery of funds expended on his behalf.

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J. Equal Opportunity

Offices and institutions of Corrections shall ensure that race, color, religion, national origin, sex, handicap, or age are not considered in approval of tuition assistance monies to its employees.

K. Application Process for Educational Assistance

1. The employee may obtain an Employee Educational Assistance Program form from his office, institutional personnel office, or the Division of Personnel.
2. The employee shall complete the employee portion of the form and submit it to his supervisor.
3. The supervisor shall complete the supervisor portion of the form, and forward it to the appropriate office or institutional head for approval. The form shall then be sent to the Personnel Administrator who shall submit it to the Division of Personnel Services for review and final approval.
4. If approved and educational assistance is allowed, the Division of Personnel Services shall retain two copies of the Employee Educational Assistance Program form and shall return the original and one copy of the Employee Educational Assistance Program form to the employee.
5. The employee shall give his educational institution a copy of the approved Employee Education Assistance Program form during registration for the course(s).
6. Within thirty (30) days after scheduled completion of the course, the employee shall provide his personnel officer with an official grade report for the course for which the educational assistance was authorized. The obligation of the employee shall not be considered fulfilled until the employee has submitted a copy of the official grade report. The personnel officer shall submit the official grade report to the Division of Personnel Services within ten (10) days of receipt.
7. If the employee does not submit the grade report and student evaluation within the allotted time frame, the cost expended by Corrections in the employee's behalf shall be deducted from the employee's payroll check (with a minimum of \$50.00 deducted from each paycheck) until the full amount of indebtedness is refunded to Corrections.