



Sedgwick Public Schools
Unified School District 439
Sedgwick, KS

EMPLOYEE HANDBOOK

**A Manual of
Employee Benefits and
Personnel Policies**

Updated – September 11, 2023

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INTRODUCTION

LETTER FROM THE SUPERINTENDENT

USD 439 Team Members,

Many of you who are reviewing the 2023-2024 staff handbook have worked for USD 439 for many years ---and for others, welcome to the Home of Cardinals! On behalf of the USD 439 Board of Education and USD 439 Administrative Team, thank you for your service.

This handbook is a tool to use to answer some of the more common questions while you are an employee of USD 439. Although we have not attempted to answer all the possible questions that may arise, many answers may be found in this handbook. The handbook and board policies are available on the district website, too.

The success of Sedgwick Public Schools, USD 439 is due in a very large part to the efforts of everyone associated with our school district. Thank you for supporting one another, our students, our parents, and our community. I am happy you are part of USD 439.

Again, thank you for being here and helping us become the very best school district we can be.

A handwritten signature in cursive script that reads "Dr. Rae Niles". The signature is written in black ink on a light-colored background.

Dr. Rae Niles
Superintendent
USD 439, Sedgwick

PURPOSE FOR THE EMPLOYEE HANDBOOK

At USD 439 we have two groups of employees, certified and classified. One group is our teachers and professionals who are required to hold a professional certificate issued by the Kansas State Department of Education (KSDE). This group of our employees is referred to in this book as certified employees which includes teachers, school counselors, principals, etc. USD 439 has a negotiated agreement with the Sedgwick Educators' Association. Not all certified employees are included in the negotiated agreement.

Another employee group is all the individuals who are not required to hold a certificate issued by the KSDE. This group is commonly referred to as classified employees. This group includes employees such as maintenance, custodian and food service directors and staff, the technology coordinator, central office staff, and others.

This handbook is designed to acquaint you with USD 439 and provide you with general information about working conditions, benefits, and policies affecting your employment, and applies to all employees. It is your responsibility to read this Handbook carefully and refer to it whenever questions arise. For those employees covered by the negotiated agreement, the negotiated agreement language takes precedence over any policy in this Handbook.

Following the policies described in this Handbook is considered a condition for continued employment. However, nothing in this Handbook alters an employee's "at-will" status for any employee not covered by the negotiated agreement. "At-will" status means that your employment may be terminated for any reason, with or without cause, and with or without notice. The contents of this Handbook shall not constitute nor be construed as a promise of employment or as a contract between USD 439 and any of its employees. The Handbook is a summary of our policies, which are presented here only as a matter of information. All items described within this handbook are approved by the Board of Education. If there is any wording in the handbook that conflicts with approved Board of Education policy, Board policy language shall control.

Occasionally, as deemed necessary by the superintendent or the School Board, the Employee Handbook will be reviewed and updated with appropriate changes. It is the responsibility of the superintendent and the School Board to identify whatever manner necessary to complete the review and update process. USD 439's policies, benefits, and rules as explained in this handbook may change from time to time as education, employment legislation and economic conditions dictate. All changes are subject to Board approval. You will be given updates or replacement pages if and when changes are made.

This version of the employee handbook supersedes all previous manuals, handbooks, letters, memoranda, and understandings, with exception to the negotiated agreement. If you have any questions or wish to receive further information about any guideline in this Handbook, please contact the district office.

ANNUAL ORIENTATION MEETING

A workshop may be scheduled each year to coordinate work between schools and the central office to review board policies and rules applicable to employees of Unified School District No. 439. This will be a paid workday and employees are required to attend.

AVAILABILITY AND HANDBOOK REVIEW

USD 439 provides each employee with a copy of the Employee Handbook. This copy may be available through the USD 439 website, or as requested, in a printed format.

EMPLOYMENT POLICIES

DISCRIMINATION FREE WORKPLACE:

It is our policy to provide equal employment opportunities to all individuals. We are committed to a diverse workforce. We value all employees' talents and support an environment that is inclusive and respectful. Furthermore, we are strongly committed to this policy and believe in the concept and spirit of the law.

USD 439 is committed to assuring that:

- All recruiting, hiring, training, promotion, compensation, and other employment related programs are provided fairly to all persons on an equal opportunity basis.
- Employment decisions are based on the principles of equal opportunity. All personnel actions such as compensation, benefits, transfers, training, and participation in social and recreational programs are administered in compliance with state, federal or local law; and
- Employees and applicants will not be subjected to harassment, intimidation, threats, retaliation, coercion, or discrimination because they have exercised any right protected by law.

Employees are expressly prohibited from involvement in any form of employee harassment or discrimination based on race, color, national origin, sex, disability, age, genetic information, or religion in the admission, access, treatment, or employment in the district's programs and activities per Title VII of Civil Rights Act of 1964 & Kansas Act Against Discrimination. (See BOE Policy GAAB).

USD 439 believes in and practices equal opportunity. The superintendent is assigned by the Board to serve as the Equal Opportunity Coordinator and has overall responsibility for assuring compliance with this policy. All employees are responsible for supporting equal opportunity and diversity and assisting the District in meeting its objectives. Any employee who feels he or she is a victim of discrimination has a responsibility to report this information to their supervisor and if the supervisor is the perpetrator then to the superintendent.

Complaints of discrimination will be resolved using the district's discrimination complaint procedure (See BOE Policy KN).

I-9 IMMIGRATION REFORM POLICY

USD 439 complies with the Immigration Reform and Control Act of 1986 by employing only United States citizens and non-citizens who are authorized to work in the United States. All employees are asked on their first day of employment to provide original documents, verifying the right to work in the United States, and to sign a verification form required by federal law (USCIS Form I-9). If an individual cannot verify his/her right to work within three days of hire, as required by Federal regulation, USD 439 must terminate his/her employment.

HARASSMENT-FREE WORKPLACE POLICY

USD 439's policy is to provide a work environment that is free from harassment. Employees are expressly prohibited from involvement in any form of employee harassment or discrimination based on race, color, national origin, sex, disability, age, genetic information, or religion in the admission, access, treatment, or employment in the district's programs and activities per Title VII of Civil Rights Act of 1964 & Kansas Act Against Discrimination. This policy applies to all USD 439 employees, parents, students, guests, vendors, and persons doing business with USD 439.

Sexual harassment, one type of prohibited harassment, warrants special mention (See BOE Policy GAAC). Sexual harassment has been defined according to USD 439 guidelines as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

Section: Employment Policies

- Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or
- Such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Examples of conduct prohibited by this policy include, but are not limited to:

- Unwelcome sexual flirtation, advances, or propositions;
- Verbal comments related to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Explicit or degrading verbal comments about another individual or his/her appearance;
- The display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer or other electronic device;
- Any sexually offensive or abusive physical conduct;
- The taking of or the refusal to take any personnel action based on an employee's submission to or rejection of sexual overtures; and
- Displaying cartoons or telling jokes which relate to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation.

If you believe that you are being subjected to workplace harassment, you should:

- If you feel comfortable enough to do so, tell the harasser that his or her actions are not welcome, and they must stop.
- Report the incident without delay to your immediate supervisor/principal, or the USD 439 superintendent.
- Report any additional incidents or retaliation that may occur to one of the above resources.

Any reported incident will be investigated immediately. Complaints and actions taken to resolve complaints will be handled as confidentially as possible, given USD 439's obligation to investigate and act upon reports of such harassment. Appropriate actions will be taken by USD 439 to stop and remedy all such conduct, including interim measures during a period of investigation.

Retaliation of any kind or discrimination against an employee who reports a suspected incident of harassment or who cooperates in an investigation is prohibited. An employee who violates this policy or retaliates against an employee in any way will be subject to disciplinary action up to and including immediate termination.

COMPLAINT POLICY

USD 439 expects all employees to create an atmosphere free of discrimination and respect the rights of their co-workers (See Policies GAE, GAB, JCE, and KN).

In the event an employee experiences any job-related discrimination or harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, amnesty, veteran-status, or believe they have been treated in an unlawful, discriminatory manner or have been unlawfully harassed, or believes they have been treated unfairly, they shall promptly report the incident to a supervisor. Complaints will start at the lowest level possible and will follow the district's chain of command (See Policy CC). If an employee believes it's inappropriate to discuss the matter with their supervisor, it should be directly reported to the superintendent. Once made aware of your complaint, USD 439 is committed to commence an immediate, thorough investigation of the allegations. Complaints will be kept confidential to the maximum extent possible.

If, at the completion of an investigation, USD 439 determines that an employee acted in a discriminatory or harassing behavior, appropriate disciplinary action will be taken against the offending employee up to and including termination.

If an employee feels the outcome of the investigation does not adequately address the issue of concern, the employee may make a written request to the building principal to revisit the issue. The superintendent will make a recommendation to the Board for resolution of the issue. The Board decision on the issue is final.

USD 439 prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy, or for assisting in the complaint investigation. However, if, after investigating any complaint of unlawful discrimination, USD 439 determines that an employee intentionally provided false information regarding the complaint, disciplinary action may be taken against the one who gave the false information, up to and including termination.

AMERICANS WITH DISABILITIES POLICY

The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship upon the employer.

If any employee requires accommodations because of a disability as defined under the ADA, they should contact their supervisor, or the superintendent and every effort will be made to accommodate the employee and comply with all Federal and State regulations (See <https://adata.org/factsheet/ADA-overview>).

VIOLENCE-FREE WORKPLACE

It is USD 439's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Therefore, USD 439 will not tolerate violence or threats of violence of any form in the workplace, at work-related functions, or outside of work if it has an adverse impact on the workplace environment. This policy applies to USD 439 employees, parents, students, guests, vendors, and persons doing business with USD 439.

It will be a violation of this policy for any individual to engage in any conduct, verbal or physical, which intimidates, endangers, or creates a hostile work environment and/or the perception of intent to harm persons or property. Examples include, but are not limited to:

- Physical assaults or threats of physical assault, whether made in person or by other means (i.e., in writing, by phone, fax, e-mail, text, or social media).
- Verbal conduct that is intimidating and has the purpose or effect of threatening the health or safety of a co-worker.
- Possession of firearms or any other weapon on District property, in a vehicle being used on District business, in any District owned or leased parking facility, or at a school-related function.
- Any other conduct or acts which management believes represents an imminent or potential danger to workplace safety/security.

Anyone with questions or complaints about workplace behaviors, which fall under this policy, may discuss them with a supervisor/principal, or the district superintendent. USD 439 will promptly investigate any reported occurrences or threats of violence. Violations of this policy will result in disciplinary action, up to and including immediate termination of employees. Where such actions involve non-employees, USD 439 will act appropriate for the circumstances. Where appropriate and/or necessary, USD 439 will also take any other actions available to stop the conduct and protect USD 439 employees and property.

In addition to this policy, the District has a policy in place to address student behavior concerning weapons. For information on this policy, please contact your school principal. To provide information about a crime, contact 1-800-222-TIPS or text 274637 and Start their information with TIP679.

DRUG FREE SCHOOL POLICY

The unlawful possession, use, sale or distribution of illicit drugs and alcohol by school employees on school premises or as a part of any school activity is prohibited (See Policy JDDA).

DRUG AND ALCOHOL TESTING

Under the rules for implementing the Omnibus Transportation Employee Testing Act of 1991, every local public school district is required to conduct pre-duty controlled substance testing, and reasonable suspicion, random and post-accident controlled substance and alcohol testing of each employee who is required to obtain a Commercial Drivers' License (CDL). An employee covered by the rules is prohibited from refusing to take a required test (See policy GAOD).

Under the rules, school districts are also required to impose penalties on covered employees whose test results confirm prohibited alcohol concentration levels or the presence of a controlled substance; comply with extensive new reporting and record keeping requirements; adopt an employee alcohol and controlled substance misuse program; and provide for alcohol and controlled substance misuse information for employees, supervisor training and referral of employees to employee assistance programs.

In addition to testing required for CDL purposes, USD 439 reserves the right to request any employee or applicant to submit to drug and/or alcohol testing for the purpose of:

- Pre-employment testing
- Random testing
- Post-accident testing
- Reasonable suspicion testing

USD 439 will follow all Federal and State regulations concerning drug and alcohol testing.

USE OF PERSONAL COMMUNICATION DEVICES

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district. Employees are responsible for keeping communication devices secure and, if possible, password protected (See Policy GAT).

Supervision of students and the provision of academic instruction are priorities in the district, and employees who are responsible for supervising and/or providing academic instruction to students must concentrate on these tasks at all times. Employees shall not use communication devices when they are responsible for supervising students or when their doing so interrupts or interferes with classroom instruction, unless any of the following conditions occurs:

- The device is being used to instruct the students being supervised at the time;
- The use is necessary to the performance of an employment-related duty;
- The employee has received specific and direct permission from a supervisor to do so; or
- There is an emergency.

Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use, so that students are supervised at all times.

SMOKING AND TOBACCO PRODUCTS

The use of tobacco products in any form and/or of any nicotine delivery device is prohibited for staff members in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned or operated property (See Policy GAOC).

ONLINE ACTIVITIES

District employees, including, but not limited to, classroom teachers and extracurricular activity coaches and sponsors, may set up pages through Power School other social networking accounts using district technological resources and following district policy and guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction (See Policy IIBGC).

In order for district employees and activity sponsors to utilize a social networking site for instructional, administrative, or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the superintendent or the superintendent's designee.
2. If permission is granted, staff members will set up the site following any district guidelines developed by the superintendent and approved by the board. If the expenditure of district funds is required to complete the set-up or maintenance of the site, the requesting staff member shall present an itemized summary of such costs to the superintendent. Superintendent approval shall be required prior to the expenditure of district funds for such purpose.
3. Guidelines shall specify whether access to the site must be given to school/district administrators and technology staff.
4. If written parental consent is not otherwise granted through acceptable use policy forms provided by the district, staff shall notify parents of the site and obtain written permission for students to become "friends" of the site prior to the students being granted access. This permission shall be kept on file at the school as determined by the principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use and compliance with district policies; and
 - b. Observing confidentiality restrictions concerning release of personally identifiable student information under state and federal law.

Staff members are discouraged from creating personal social networking accounts to which they invite current or future students to be friends. Employees taking such action do so at their own risk. All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable board policy, statutory, or regulatory provisions governing employee conduct or the protection of student record information; or if it impairs the staff member's job performance or effectiveness in the work setting.

SAFETY

SAFETY RULES AND ACCIDENT REPORTING

It is USD 439's policy to maintain a safe and secure working environment for all employees and clients. The District wants to ensure that our employees remain safe and injury-free when accidents are preventable. We expect our employees to refrain from horseplay, careless behavior, and negligent actions.

While working, employees must observe safety precautions for their safety and the safety of others. All work areas must be kept clean and free from clutter and debris. Any hazards or potentially dangerous conditions must be corrected immediately or reported to a supervisor.

If you are involved in an accident, you must comply with the following procedure:

- If someone is seriously injured, obtain immediate medical assistance.
- Report the accident to a supervisor or building administrator immediately, even if you are not sure whether it is truly work-related. Even small, insignificant injuries left untreated can result in more serious conditions.
- Follow your supervisor's direction to obtain the necessary medical treatment for non-serious injury
- Immediately fill out an accident report regardless of the severity of the injury
- Employees who fail to comply with these procedures are subject to disciplinary consequences, up to and including termination.

ACCIDENTS - REPORTING

If an accidental injury arises out of and in the course of employment, the claim based upon such injury may be compensable. If an employee is injured on the job, the employee's direct supervisor must be contacted as soon as possible after the injury (See Policy GAOE).

- The employee and supervisor are responsible for completing the appropriate forms, which must be returned immediately to the District Office, USD 439, PO Box K, Sedgwick, KS 67135. Forms are available at the District office.
- Failure to notify the supervisor immediately of the accident/injury may prohibit payment of workers' compensation benefits and may cause the employee to face disciplinary action, up to and including termination.
- The employee must maintain copies of all doctor's orders and provide a copy to the District Office.
- The employee must inform the doctor or hospital that he/she is covered by the district workers' compensation plan.

Prior to returning to work, an employee who is receiving workers' compensation shall be required to provide the District Office with a written doctor's written release. In addition, should the employee be released by a doctor to return to work and fail to do so, all benefits under workers' compensation shall be restricted as provided by current statute.

WORKERS COMPENSATION

Employees of USD 439 are covered by workers' compensation insurance provided by the district. All work-related injuries or illnesses will be managed through the district's workers' compensation program. The district abides by all the regulations regarding the investigation and compensation for workers injured within the scope of their duties to the district (See Policy GAOE).

All employees should be aware that certain behaviors involved in an injury or illness may exclude the individual from benefits through the workers' compensation system.

- Injuries occurring when the employee is intoxicated or under the influence of any drugs, barbiturates, or other stimulants not prescribed to the individual by a physician.

- Refusal of the injured worker to submit to a drug or alcohol test.
- Injuries resulting from recreational and social activities unless such recreational or social activities are expressly required of the employee by the District.
Injuries resulting from horseplay.
- Any additional exclusion provided for in Kansas law

As allowed by State regulations, USD 439 may identify a specific medical professional or clinic to be its provider for all workers' compensation routine medical needs.

CERTIFICATE OF HEALTH (NON-BUS DRIVER) AND TB TESTS

As a condition of employment, new classified employees in any category or capacity must obtain a certificate of health by completing a physical examination with a physician or agency of the district's choosing. The district will pay the cost of the physical examination. The employee must present a form prescribed by the secretary of health and environment and signed by an appropriate licensed medical person to the district office which states that there is no evidence of a physical condition that would conflict with the health, safety, or welfare of the pupils; that the employee can physically perform the duties required for the position; and that freedom from tuberculosis has been established. Cost of the TB test is the responsibility of the applicant/employee. (K.S.A. 72-6266)

If at any time there is reasonable cause to believe that any employee is suffering from an illness or condition detrimental to the health of the pupils, the school board may require a new certification of health.

HEALTH EXAMINATIONS (BUS DRIVER)

As a condition of employment, bus drivers, must complete a physical examination prior to the time of employment with the district. The examination after January 1, 1996, will require mandatory drug and alcohol tests in addition to those tests previously required. Cost of the drug and alcohol test will be paid by the district. The district will cover the first \$75.00 (not covered by employee's insurance) of the cost of the basic exam.

The employee must present a district-approved form to the central office which states "that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established. If at any time there is reasonable cause to believe that any employee is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health." (K.S.A. 72-6266)

BLOOD-BORNE PATHOGENS

Employees whose job responsibilities include "occupational exposure" to blood-borne pathogens must receive training related to "universal precautions" which is an approach to infection control. According to the concept of universal precautions, all human blood and certain body fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV) or Hepatitis B Virus (HBV) (See Policy GARA and USD 439 Exposure Control Plan).

The district will make the Hepatitis B vaccine and vaccination series available to any classified employee of the district who has occupational exposure free of charge. Employees who decline the Hepatitis B vaccine will sign a waiver form. An employee who initially declines the Hepatitis B vaccination may later request the vaccination. The district will then provide the vaccination to the employee.

FIRE AND TORNADO DRILLS

Fire and tornado drills are scheduled throughout the year for employee and student safety. Building principals will give instructions on the proper procedures for these drills. All employees and students are expected to participate and fully cooperate in these drills (See Policy EBBE).

SCHOOL CANCELLATION

The superintendent or designee will determine if school cancellation is warranted due to weather, poor road conditions, or facility failure or health emergency (e.g. no electricity). Decisions will be made as soon as possible. Staff will be notified via Swift Reach, and social media. Cancellation will also be reported to

the local news media. **All maintenance and custodial and/or staff will report to work as deemed necessary by the superintendent and maintenance director.**

In the event that school is cancelled due to poor weather or facilities failure, all activities, practices, etc. are also cancelled unless it is determined by the superintendent and building administration that conditions have improved to the extent that such activities on or off campus can be held.

SCHOOL EMERGENCY PROCEDURES

USD 439 has in place procedures for emergencies that may arise in the district. You will receive training and may receive a copy of the School Emergency Procedures Guide from the Crisis Plan Coordinator or the building principal. Please study the plan and be aware of the responsibilities of your position in the event of an emergency.

SECURITY OF DISTRICT BUILDING

Maintaining the security of USD 439 buildings is every employee's responsibility. When you leave USD 439's premises, make sure all entrances are properly locked and secured and the door has closed securely behind you. Do **not** share your keys or access card with anyone.

DRIVING WHILE ON DISTRICT BUSINESS

Driver inattention is a factor in most motor vehicle accidents. We are not only concerned about your welfare as a USD 439 employee, but also the welfare of others who could be put in harm's way by inattentive driving. As a driver, your first responsibility is to pay attention to the road. When driving on USD 439 business, the following applies:

Other Safe Driving Precautions:

- Use conservative judgment when road conditions are poor. Use extra caution when rain or snow threatens your safety.
- Avoid distractions such as eating, applying makeup, paying too much attention to your radio/CD player, or other distracting behavior.
- Do not drive if your ability to drive safely is impaired by the influence of alcohol, illegal drugs, or medications.
- Electronic devices are not to be used at any time while driving.
- If using a vehicle that is not your own (rental or otherwise), be sure to properly adjust the mirrors and familiarize yourself with the vehicle's controls before operating.
- Employees will wear their seat belt at all times while operating a school vehicle.
- Drivers will ensure all passengers are wearing seat belts at all times the vehicle is in operation

Transportation of Students – USD 439 employees occasionally transport students or other district personnel. It is important to focus only on the task of driving to the location and not allow distractions to interfere.

Cellular Phone – Regardless of other provisions of this policy, unless there is an emergency, employees shall not use communication devices when:

- Driving district-provided vehicles;
- Operating a vehicle in which a student is being transported when the transportation is provided as part of the employee's job; or
- Supervising students who are entering or exiting a vehicle, crossing thoroughfares, or are otherwise attempting to safely reach their destinations.

Section: Safety

Even in emergency situations, employees should first take all possible safety precautions before using communication devices. Employees are subject to local, state, and federal laws governing use of cell phones while driving and will be solely responsible for all traffic violation liabilities resulting from their use of a phone while driving. (See Policy GAT)

Obey the Law - USD 439 is not responsible for any moving traffic violations, parking tickets, or any other city ordinances or state/federal laws regarding your driving habits and operation/care of your personal motor vehicle. Any tickets issued are the employee's responsibility, even if the ticket is issued while conducting business for USD 439 or in a USD 439 vehicle.

Employees who drive for district business in a non-commercial function must have a current, valid driver's license, issued within the United States, and are subject to the terms and conditions of the District's insurance carrier.

The following forms are to be kept in a secure place within the District vehicle: Vehicle registration, proof of valid insurance, and a District accident report form. Drivers must immediately report any vehicle accident to management, regardless of the amount of damage.

PERSONNEL INFORMATION AND PERSONNEL FILES

CHAIN OF COMMAND FOR CLASSIFIED EMPLOYEES

Secretarial and Clerical classified employees will be directly responsible to the building principal or director of the department to which the employee is assigned. Evaluation of secretarial and clerical employees will be done by the building principal or director of the specific department to which the employee is assigned.

Maintenance and Custodial classified employees will be directly responsible to their supervisor and building principal or director. Evaluation of maintenance and custodial personnel will be done collaboratively by the building principal and the employee's immediate supervisor.

Food Service classified employees will be directly responsible to the Food Service Director. Evaluation of food service employees will be done by the Food Service Director.

Classroom aides will be under the supervision of their assigned classroom teacher. Evaluation of classroom aides will be done by both the employee's assigned teacher and the building principal.

NEWLY HIRED AND REHIRED EMPLOYEES:

Pre-Employment Health Physical – As a condition of employment, new or rehired classified employees in any category or capacity must obtain a certificate of health by completing a physical examination (see Certificate of Health (Non-Bus Driver) and Tb TESTS, pg. 11)

Pre-Employment Background Screening – As a condition of hire or re-hire, classified employees will agree to a criminal background check at the district's expense.

Probationary Period – All newly hired or rehired classified employees shall be hired on a ninety (90) day probationary period. The purpose of the probationary period is to provide the administration and immediate supervisor(s) an opportunity to observe the employee's work performance and gather additional background information. Employment can be terminated any time during this period and employees are not eligible for leave benefits. At the end of ninety (90) days, if the employee's performance is satisfactory, the employee will be placed on regular status. Once on regular status, the employee will be eligible for all leave benefits accrued from the starting date of employment. If it is apparent that the employee is not performing satisfactorily, and if training or counseling has not resulted in sufficient progress, the employee may be terminated during the probationary period.

CHANGE IN STATUS OR INFORMATION

Notification to the USD 439 District Office should be made within five (5) calendar days of any change in mailing address or home telephone number, cell phone number, e-mail address, or change in family status which might alter Internal Revenue Code (IRC) section 125 fringe benefits, including marriage or divorce, birth or adoption of a child, change in employment status by the employee or spouse, or the taking of an unpaid leave of absence by the employee or spouse. Changes in contact information should be updated as soon as possible.

EMPLOYEE WORK BREAKS AND LUNCH BREAKS

Work breaks are considered paid time. Break periods are not mandatory and are not guaranteed. Employees are not allowed to leave the premises during paid work breaks.

Lunch breaks may be paid or unpaid time depending on assignment. Any lunch break will be at least 30 minutes long where the time is coordinated by the employee's supervisor. Non-exempt employees must clock out during their lunch break. Employees are allowed to leave the premises during their lunch break.

Any employee who abuses the length or amount of work breaks or repeatedly returns late from their lunch break will receive disciplinary action up to and including termination.

ANNIVERSARY DATE

The anniversary date for all classified employees shall be July 1 of each year. The anniversary date is the date by which all vacation time and personal days accumulated must be used or forfeited. Any salary changes become effective on the anniversary date.

EMPLOYMENT "AT-WILL" STATUS

All classified employees are employed on an "at-will" basis regardless of their length of service and may be dismissed at any time. Either party may terminate the employment relationship at any time

EVALUATIONS

The district shall maintain a formal performance evaluation plan for all classified employees. The administration, staff, and Board of Education shall develop evaluation criteria (See Policy GCI).

All classified employees shall be evaluated twice during their first year of employment and at least once a year during subsequent years. Evaluation documents will be on file with the clerk of the board.

Classified employees shall be evaluated by the supervisor to whom they are assigned. Classified employees shall be evaluated on their personal qualities, their commitment to duty and work skills related to their job description. A copy of the completed evaluation will be given to the employee after it is signed by the employee and the evaluator and will be placed in the employee's personnel file.

PAY DAY

Pay checks/direct deposit slips for all employees, hourly and salaried, will be issued the 15th day of each month. In the event payday falls on Saturday, Sunday, or a district-designated holiday or non-workday, checks will be distributed on the last workday preceding the 15th.

USD 439 reserves the right to correct any payroll error at any time the error is identified. It is each employee's responsibility to review their paychecks regularly and advise their immediate supervisor when they are aware of any incorrect payments. The Central Office Administration will follow the standard procedure to correct any payroll errors and request repayment if a payment is issued in error.

TIME SHEETS

Classified individuals paid hourly are to record their time using Time Clock Plus and are to submit time each week to their supervisor. Pay periods will be determined by the central office. The time must show the pay period covered, the hours for each day worked, and must be submitted by the employee. Supervisors will approve all time submission weekly and make necessary changes by the 5th of the following month.

Accurate time reporting may mean more timely pay and fewer complications for all concerned. Contact the central office for any questions about pay, absences, or any other question or concern.

OVERTIME

Non-exempt (hourly) classified employees who work more than forty (40) hours per workweek will be compensated for overtime. The workweek is defined as Sunday 12:00 am through Saturday Midnight. All overtime will be paid at the rate of one and a half (1 1/2) times regular pay, as required by current law. All overtime hours must have prior written approval of the immediate supervisor and central office administration. Employees who work overtime hours without prior approval may face disciplinary action up to and including termination.

Overtime is calculated using only worked hours during the work week. Therefore, holiday, vacation, sick leave, and any other non-worked paid time will not be used in the calculation of overtime.

COMPENSATION:

New employees are generally placed on an entry level which reflects their work experience and professional training as well as the demands of their position (See Policy GCA).

Salary increases, when granted, will begin July 1 of each year. Salary increases will be based on the evaluation received, skills, growth, and demands of the position. Salary increases are not guaranteed and will not be granted solely based on longevity.

CONFERENCE ATTENDANCE

At various times, employees may attend professional meetings or training conferences. This may be as a result of the individual requesting to attend or the district requesting the employee attend.

If the conference attendance is requested by the employee, the district will pay for the actual time involved up to the maximum of the number of hours in a normal workday.

If the conference attendance is requested by the district, non-exempt employees will be paid for the actual time involved including travel time to and from the destination under the Fair Labor Standards Act (FLSA) the travel time would be paid hour for hour. The employee will be reimbursed for normal and reasonable travel expenses, such as lodging and meals (See Policy GAN).

ASSIGNMENT AND TRANSFERS

Personnel assignments shall be made by the superintendent after consideration of the personnel needs of the district and the position involved (See Policy GCA).

Employees are encouraged to request changes in their assignments and/or their position for which they feel qualified and will provide the employee with professional growth opportunities. While it is understood that all applicants for a position must be considered according to their qualifications, service and prior performance within the system will be considered in the selection process.

Any employee may be transferred at any time to a new location or position at the discretion of the superintendent. The Board shall be notified of the transfer at the next regular board meeting.

VACANCIES

When a position becomes vacant and the superintendent and board choose to fill the position, these steps are generally followed:

1. Posting of vacancy
2. Screening of applicants
3. Interviewing of selected applicants
4. Notification of candidate to be recommended to board
5. Acceptance of position by candidate
6. Recommendation of candidate to board for approval
7. Notification of other candidates

Job vacancies involving promotion within the district will be announced so that present employees may apply for the position. Any current employee who applies for a position and is qualified will be given consideration.

All current staff members who would like to be considered for vacancies or transfers shall submit a written request to the superintendent.

USD 439 does not guarantee all positions are posted prior to being filled.

EMPLOYMENT TERMINATION AND RESIGNATION

USD 439 and its classified employees share a working relationship defined as employment-at-will. Simply stated, employment-at-will means that in the absence of a specific written agreement, you are free to resign at any time, and USD 439 reserves the right to terminate your employment for any reason with or without prior notice (See Policy GBN).

Section: Personnel Information and Payroll Files

All classified employees are employed by the Board upon recommendation of the superintendent or his/her designated representative. Employees may be terminated by the Board with the same recommendation.

Classified employees who resign employment should give two weeks advance written notice of intended termination including anticipated date of departure. USD 439 reserves the right to waive the need for the notice period. If USD 439 waives any or all of the notice period, the district will only pay the employee for hours worked during the notice period. On or before their final working day, employees must return all district property such as keys and ID badges, computer equipment, etc. to their supervisor or the Central Office Administration.

The employee's final paycheck will be processed with the next appropriate pay date. Any outstanding financial obligations owed to USD 439 will be deducted from your final check with the employee's prior written permission. Please notify the District office of any final paycheck instruction requests. It is your responsibility to notify the District of any change of address for your W-2. A health insurance extension of benefits under COBRA regulations is available and is offered to eligible employees and dependents.

If you leave USD 439 in good standing, you may be considered for re-employment. Any employee who has been dismissed will be ineligible for re-employment. In the event less than two weeks' notice is given, it will be so listed in the employee's record and may affect a former employee's reemployment application.

CODE OF CONDUCT

CHILD ABUSE

Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Kansas Department for Children and Families (DCF) office (800-922-5330) or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith.

The building principal shall be notified if a report is submitted. (NOTE: Notifying an administrator does not relieve a mandated reporter from the duty to report to DCF and/or other authorities.)

CONFIDENTIALITY

All student/personnel information and materials are to be handled in a confidential manner and shall not be discussed with anyone other than the appropriate district personnel with a legitimate educational reason to receive the information. If questioned about district policies or practices, employees shall refer a member of the public to the appropriate district personnel. Documented violations of this procedure could result in disciplinary action being taken against the employee, up to and including termination.

CONFLICT OF INTEREST

All employees have a duty to further the aims and goals of USD 439, and to work on behalf of its best interest. Employees should not place themselves in a position where the employee's actions or personal interests may conflict with those of USD 439.

District employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service, or other items which may directly or indirectly benefit the school employee. No school employee will enter into a contract for remuneration with the district other than a contract for employment unless the contract is awarded on the basis of competitive bidding (See Policy GAG).

DRESS CODE

Your pride in both yourself as an individual and as a representative of this school district is reflected in your appearance and image you create. The district's image is important and request that our employees maintain standards of dress and appearance appropriate to the organization as a whole and your individual position responsibilities. Dress, grooming, personal cleanliness, and professional behavior standards contribute to the professional image we present to our students, parents, and visitors. Therefore, while performing duties for our organization, employees are expected to dress in attire appropriate to the work environment and to behave in a professional and businesslike manner.

If an employee is unsure about the dress and appearance guidelines, they are encouraged to consult with their supervisor. If an employee reports to work in questionable attire or appearance, a notification and/or discussion will occur with the employee to counsel them regarding the inappropriateness of the attire. Depending upon the circumstance the employee may also be sent home and directed to return to work in proper attire. Any work time lost will be unpaid. Continued or frequent departures from these guidelines will not be permitted and employees who appear for work inappropriately dressed or groomed may be disciplined up to and including termination. In addition, those individuals who choose to use perfume, cologne, or aftershave, should minimize their use. Other individuals may be sensitive to fragrance, have allergies, or the resulting effects can be unpleasant.

GIFTS

Employees are prohibited from receiving gifts of value from vendors, salespersons, or other such representatives. (See Policy GAJ, JL, and KH).

SOLICITATION OF EMPLOYEES

Unless permission is granted by the appropriate supervisor, solicitation of employees by any vendor, student, other school district employee, or patron during normal duty hours is prohibited.

By Employees: No employee may attempt, during regular duty hours, or on school property, to sell or endeavor to influence any student or school employee to buy any item or service which would directly or indirectly benefit the school employee. The only exception to this rule is when an employee participates in an event sponsored by a third party, such as an art and/or craft show, athletic event, etc. and the employee becomes a legitimate vendor at the event (See Policy GAI and KDC).

PERSONAL CONDUCT AND DISCIPLINARY ACTION POLICY

All personnel are expected to maintain their conduct above reproach. An atmosphere and spirit of cooperation is expected of every employee in the daily performance of his/her job. The employee should communicate well with the people he/she encounters during his/her duties. A positive atmosphere with good communication makes for a better place to work.

The work rules and standards of conduct for USD 439 are important, and the District takes them seriously. All employees become familiar with these rules and standards and are expected to follow the rules and standards faithfully while conducting USD 439's business/activities both on and off campus or representing the district whether on duty or not. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including immediate termination of employment. Certified employees may have additional rights provided by the negotiated contract.

Disciplinary actions may entail verbal, written, final warning, or termination. All these steps may not be followed in specific instances. USD 439 reserves the right to exercise discretion in discipline and to take disciplinary action it considers appropriate, including termination at any time. Prior warning is not a requirement for termination. If you are disciplined in writing, copies of your warnings are placed in your personnel file. It is the responsibility of the superintendent to ensure the policies of the district are followed during any disciplinary action.

The following are examples, not intended to be all-inclusive, of violations that may result in disciplinary action:

- Absenteeism and/or tardiness
- Unsafe work practices
- Overly friendly situations with students and/or staff
- Discourtesy to a student, parent, co-worker, volunteer, or the public.
- Using abusive or profane language and/or gestures
- Poor job performance, careless, negligent, or disruptive conduct
- Violation of board policies
- Unsportsmanlike conduct at activities.

In addition to those situations discussed elsewhere in this handbook, listed below are some other examples where immediate termination could result:

- Refusal or failure to follow directives from a supervisor or superintendent.
- Breach of confidentiality relating to the district, employee, or student information.
- Any act of harassment
- Altering, damaging, or destroying district property or records, or another employee's or student's property.
- Dishonesty, stealing or attempting to steal district, co-worker, student, or vendor property.

- Providing false or misleading information to any USD 439 representative or on any USD 439 records including the employment application, benefit forms, timecards, expense reimbursement forms, etc.
- Divulging confidential information.
- Fighting or threatening a co-worker, student, or vendor.
- Possession of firearms or weapons on District property.
- Failure of a drug or alcohol test, violation of the drug free policy.
- Failure to call in or report to work for three or more consecutive days, or failure to return to work after an authorized leave
- Unapproved use, abuse, or destruction/defacement of district property
- Loss or suspension of license or any other qualification for the performance of assigned duties
- Violation of local, state, federal or district safety regulations
- Inappropriate use of technology including social media

This list is general in nature and is not intended to be all-inclusive.

USD 439 reserves the right to terminate an employee at any time for any reason with or without prior disciplinary counseling or notice. Nothing in this handbook or any other USD 439 document is intended to modify this “at-will” employment. Certified employees may have additional rights provided by the Negotiated Agreement.

ENERGY CONSERVATION

The Board requires staff to pursue reasonable efforts to conserve energy as they implement the various components of the educational program. Upon request, the superintendent shall report to the Board on the status of any energy-conservation programs in the district.

LOYALTY OATH

As required by current law, all employees must have a signed loyalty oath on file in the central office before beginning employment and being eligible for a paycheck.

BENEFIT INFORMATION

FRINGE BENEFITS AND OPTIONS

USD 439 provides a wide range of benefits for you and your dependents at the lowest possible cost. We want you to be aware that we, too, are consumers of the benefits offered and that our interest in the performance of our benefits plan is a professional one as well as a personal one.

Major Medical and Prescription – If you are scheduled for at least 30 hours per week, you are eligible for the district's major medical and prescription plan. Our major medical and prescription plan is designed using a preferred provider network with co-pays, co-insurance, and deductibles. Multiple plan options may be available. USD 439 currently covers a portion of the employee's individual coverage for full time employees. USD 439 follows the Affordable Care Act.

Section 125 - To assist employees with cost savings programs, USD 439 offers the insurance programs (not life or disability) through a Section 125 Plan. This plan allows employee to pay their insurance premiums with pre-tax dollars. Along with the tax savings there are rules and restrictions. Please refer to the benefit guide for a description of these rules and restrictions.

Voluntary Benefits - If you are scheduled for at least 17.5 hours per week you are eligible for the following benefits. Unless otherwise noted, your insurance benefits will be effective the first of the month following date of hire.

Voluntary Term Life Insurance – Our group term life plan allows you to secure term life insurance for yourself and family members at low group rates. The rates are age based and guarantee issue may be available.

Voluntary Disability Insurance – Our group disability insurance plan offers a variety of options allowing each employee to determine the plan that is right for their needs. The rate is dependent on the option chosen. Our plan is voluntary and paid for by the employees who choose to participate.

Voluntary Cancer Insurance – Our cancer plan is a voluntary plan paid for by the employees who choose to participate in the plan. Multiple plan options may be available.

Flexible Medical Spending and Dependent Daycare – In addition to the tax saving on insurance premiums through the Section 125 Plan, USD 439 offers employees the ability to save tax dollars on out-of-pocket medical spending and on dependent daycare expenses.

Voluntary Dental – Our dental plan is a voluntary plan paid for by the employees who choose to participate in the plan. Multiple plan options may be available to help you provide for your specific dental needs.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (KPERs)

Each employee who works at least six hundred thirty (630) hours per year, or an equivalent of three and one half (3 1/2) hours per day must become a member of KPERs. An employee contribution of 6% of the gross pay as determined by current statute will be made each payroll period. Please refer to the KPERs information that is provided to you for complete information, including contact phone numbers.

COBRA

USD 439 complies with the federal law, Consolidated Omnibus Budget Reconciliation Act of 1985, P.L. 99 272, and later amendments, otherwise known as COBRA. Covered employees and their dependents that lose insurance coverage due to a qualifying event are eligible to continue their coverage through COBRA. Qualifying events may include termination, reduction in working hours, divorce or legal separation, death of the employee, eligibility for Medicare or loss of dependent child status under the insurance plan. All administrative rules and processes as well as changes in plan benefits and premiums apply to those on continuation coverage.

USD 439 provides a General Notice of COBRA rights to all individuals when they elect coverage through the USD 439 benefit plan. Please refer to the General Notice for information about your rights under COBRA.

TIME AWAY FROM WORK

The following Time Away From Work benefits is intended to cover the classified employees of USD 439. Certified employees have benefits offered through the negotiated contract. Certified employees should refer to that contract for information concerning any Time Away From Work benefits (See Policy GBRH and GCRG).

Any or all substitutes will be employed by the district and will be paid by the district. Absences of classified personnel should be reported to the central office at the time and in the manner indicated by the building administrator or direct supervisor.

ATTENDANCE

Regular attendance is required of all classified employees as a condition of employment, subject to individual leave in accordance with district policies, and excessive absences or tardiness, unauthorized leave or unexcused absences may result in disciplinary action up to and including termination of employment.

All classified employees must notify their immediate supervisor of the reason for an absence from work. Employees who are unable to report to work but have no accrued paid time off benefit may face disciplinary action up to and including termination. Failure to report to work for more than three consecutive scheduled workdays, without notification of the immediate supervisor of the reason for such absence, may be deemed to be voluntary resignation from employment with the district.

SICK LEAVE AND BEREAVEMENT LEAVE

Full-time (12-month) classified employees shall be granted up to twelve (12) days sick and bereavement leave per school year, accumulative to sixty (60) days. Part-time (9- and 10-month) classified employees shall be granted up to ten (10) days leave per year, accumulative to forty-five (45) days. Sick and Bereavement Leave will be granted based on the employee's contract and normal work week.

New or Returning Employees: Sick leave will accrue at the rate of 1 day per month for the first 12 months. No paid sick leave days may be used during the first ninety (90) day period. Once the employee is on regular status, the employee will be eligible for all leave benefits accrued from the starting date of employment.

Leave shall be without loss of pay and may be used for the following:

- Personal illness and/or illness in the employee's immediate family. Immediate family shall be interpreted to include husband, wife, sons, daughters, brothers, sisters, father, mother, father-in-law, mother-in-law, grandparents, grandchildren, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or other relative or individual whose residence is in the home of the employee.
- Death within the employee's immediate family.
- Death of a close friend or relative outside the immediate family in accordance with the following guidelines and procedures:
 - Requests must receive prior approval from the building principal and the superintendent of schools or their designee.
 - In most cases, leave shall be granted for a maximum of one day. Exceptional circumstances that would require absence more than a single day will be considered on a case-by-case basis by the building principal and the superintendent.

Grandfather Clause: All classified employees who have accumulated an excess of sixty (60) days of sick leave up to the maximum of seventy (70) days shall maintain his/her accumulated sick leave total as computed at the end of the 1983-84 school year as a maximum. If a classified employee uses more than

twelve (12) days of sick leave during any school year then the total accumulated days at the end of that school year becomes the new maximum unless the total is below sixty (60) days thereafter.

CATASTROPHIC LEAVE

All employees will be granted catastrophic leave if necessary. Employees shall be granted up to five (5) days temporary leave with pay in cases of catastrophic events (fire, flood, tornado, hurricane – not all-inclusive list) that occurs to the supervisor or supervisor’s mother, father, children, grandmother, or grandfather and up to three (3) days temporary leave with pay in cases of catastrophic events that occur to the supervisor’s brother or sister. This leave shall be granted by the Building Principal and/or the superintendent and deducted from accrued sick leave.

WELL PAY

Classified employees specified in the summary below shall be entitled to earn up to a maximum of three hundred (300) dollars each school year in Well Pay. Employees eligible for this plan are those individuals who have been charged with two (2) days or less of sick leave during the school year. Classified employees using more than two (2) sick days per school year are not eligible for this compensation. The Well Pay rate is as follows:

<u>Sick Days Used</u>	<u>Compensation</u>
0 days	\$300.00
Greater than 0 and up to and including 1	\$225.00
Greater than 1 and up to and including 2	\$150.00

PERSONAL DAYS

Classified employees may receive up to three (3) paid personal days per school year. New or returning employees are not eligible to use personal days for the first 90 days while on probation. Personal days may be used at the discretion of the employee to conduct personal business, except on days immediately before or after a Board-adopted non-working day for the employee, except in cases of emergency when authorized by the Administration. Requests for personal days must be made to the immediate supervisor at least 48 hours prior to the anticipated day of absence, except in cases of emergency. Personal days will be granted based on the employee's contract and normal workweek. Personal days must be used within the school year earned; no personal days will be carried forward into the following year.

HOLIDAYS

Those classified employees specified on Table 1 will receive up to nine (9) paid holidays per school year, as indicated. Paid holidays include: Independence Day, Labor Day, Thanksgiving Day, and day following, Christmas Day and day following, New Year's Day, No School Day (held during the spring semester and designated one the district calendar), and Memorial Day. Time paid will be based on the employee's contract and normal workweek. New or returning employees are not eligible to use holiday pay while on probation. (See Policy GCRI)

VACATIONS

Full-time (12-month) classified staff will receive ten (10) days paid vacation. After two (2) years of employment, classified staff will receive an additional five (5) days paid vacation (effective at the beginning of the next fiscal year). Vacation will be granted based on the employee's contract and normal work week. Vacation days must be used within the school year earned; no vacation time will be carried forward into the following year. Vacation days must be pre-approved by the building principal and superintendent, except in cases of emergency. (See Policy GCRH)

New or Returning Employees: Vacation leave will accrue at the rate of .83 days per month for the first 12 months. No vacation days may be used during the first ninety (90) day period. Once the employee is on regular status, the employee will be eligible for all leave benefits accrued from the starting date of employment. Vacation days must be requested in either half-day (.5) or full day (1.0) blocks.

ABSENCE DUE TO SCHOOL CLOSING

All classified employees are eligible for up to two (2) days off with pay per school year for use when school is closed due to inclement weather (snow, flood, etc.) or other non-scheduled school closing. Accrued sick leave must be used for these absences.

Table 1

Position	Paid Holidays	Vacation*	Sick Leave*	Well Pay	Personal Days*
FT Teacher/Library Aides (7 hrs./day)	Yes (7 paid holidays)	no	11 days	yes	3 days
FT Bus Drivers (9-month)	no	no	11 days	no	3 days
Clerk of the Board	all	yes	12 days	yes	3 days
FT Cooks (6 hrs./day)	Yes (7 paid holidays)	no	11 days	yes	3 days
FT Cust. & Maint. (12-mo., 8-hr/day)	all	yes	12 days	yes	3 days
Part Time Custodians	no (12 mo only)	no (12 mo only)	5 days	no	1.5 days
Building Secretaries	all (Except Independence Day)	no	11 days	yes	3 days
Central Office Secretary	all	yes	12 days	yes	3 days
Technology Director	all	yes	12 days	yes	3 days

*may be taken in 1/2-day increments

FAMILY AND MEDICAL LEAVE

Eligible employees of USD 439 can take unpaid family and/or medical leave under federal law, the Family and Medical Leave Act (FMLA). (See Policy GARI)

Eligibility. To be eligible for leave, you must be employed by the district for at least 12 months. In addition, in the 12 months immediately preceding the beginning of the leave, you must have worked at least 1,250 hours to qualify for federal FMLA. In addition, you must work in an office or work site where 50 or more employees are employed within 75 miles of that office or work site.

Amount of Leave Available. Family and medical leave as required by federal law shall be granted for a period of not more than 12 weeks during a 12-month period. For purposes of this policy, a 12-month period shall be defined as a fiscal year beginning on July 1 and ending the following June 30. Where leave is taken to care for a covered service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness, a spouse, son, daughter, parent or next of kin may take up to 26 weeks of unpaid leave during a single 12-month period.

Please contact the district clerk for leave details if you and your spouse are both employees of USD 439

Types of Leave Available:

Birth or Placement for Adoption or Foster Care: Family leave is available to eligible male and female employees for the birth of a child or for placement of a child with the employee for purposes of adoption or foster care. Federal leave must be completed within 12 months of the birth or placement. Federal leave may not be taken intermittently. The need for leave must be documented by your treating healthcare provider through our medical certification process (see below) or documented proof of placement of a child.

Serious Health Condition of Employee: If, as an eligible employee, you experience a *serious health condition* as defined by federal law, you may take medical leave under this policy. A serious health condition generally occurs when you:

- Receive inpatient care in a hospital, hospice, or nursing home;
- Suffer a period of incapacity accompanied by continuing outpatient treatment/care by a healthcare provider; or
- Have a history of a chronic condition that may cause episodes of incapacity.

Medical leave may be taken all at once or, when medically necessary, intermittently. The need for leave must be documented by your treating healthcare provider through our medical certification process. A fitness-for-duty statement will be required for you to return from a medical leave. Failure to provide the statement will result in a delay in the return to work.

Serious Health Condition of Immediate Family Member: If, as an eligible employee, you need family leave in order to care for your son, daughter, spouse or parent who experiences a serious health condition as defined by federal law, you may take medical leave under this policy. Medical leave may be taken all at once or, when medically necessary, intermittently. The need for leave must be documented by the family member's treating healthcare provider through our medical certification process.

Active Duty Because of Any Qualifying Exigency: If, as an eligible employee, you need family leave because of any qualifying exigency arising out of the fact that your spouse, son, daughter, or parent is on active duty, or has been notified that they will be called or ordered to active duty in the Armed Forces in support of a contingency operation, you may take family leave under this policy. Family leave for any qualifying exigency arising out of the active duty of a family member may be taken all at once or intermittently. The need for leave must be documented by a certification in a form and in such manner as the US Department of Labor and the Secretary of Defense prescribe.

Service Member Family Leave: If, as an eligible employee, you need family leave to care for a covered service member who is your spouse, son, daughter, parent or next of kin and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty, you may take up to 26 weeks of unpaid leave during a single 12-month period under this policy. Service member family leave may be taken all at once or, when medically necessary, intermittently. The need for leave must be documented by the family member's treating healthcare provider through our medical certification process.

Notifying USD 439 of the need for Family or Medical Leave. Generally, an application for leave must be completed for all leave taken under this policy. The need to take non-emergency leave should generally be requested from the District Office at least 30 days, or as soon as practicable, in advance of the need. In cases of emergency, verbal notice should be given as soon as possible (or by your representative if you are incapacitated), and the application form should be completed as soon as practicable. Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay or denial of the leave. It is your responsibility to notify your principal/supervisor and the District Clerk of absences that may be covered by FMLA.

You must provide sufficient information regarding the reason for an absence for the district to know that protection may exist under this policy. Failure to provide this information will result in delay and/or forfeiture of rights under this policy. This means the absence may then be counted against your record for purposes of discipline for attendance, etc.

Medical Certification Process. In addition to an application for leave, you will be required to complete a medical certification form where leave is for a family member's or your own serious health condition. The certification form needs to be signed by the health care provider. The short-term disability certification may be sufficient where the information required is duplicative. These forms are available at the district office. Second or third certifications from health care providers and periodic re-certification at USD 439's and/or your expense may be required under certain circumstances. We may also require periodic reports during federal FMLA leave regarding your status and intent to return to work.

Certification for Active Duty Because of Any Qualifying Exigency. In addition to an application for leave, you will be required to complete a Certification of Qualifying Exigency For Military Family Leave form and to furnish to the district in a timely manner any certification that your family member is issued regarding their active duty or call to active duty in the Armed Forces.

Substituting Paid Leave for Unpaid Leave. Federal FMLA leave is unpaid. USD 439 requires you to use any accrued paid leave time before using unpaid medical or family leave. When an employee is absent due to a work-related illness or injury that meets the definition of a serious health condition, the absence will be counted against the employee's entitlement under this policy. In other words, the employee is using FMLA leave concurrently with the workers' compensation absence. An employee is not required to substitute paid time off for an absence covered under workers' compensation.

Noncontinuous Leave. Intermittent and/or reduced leave will be permitted only when it is medically necessary or for a qualifying exigency/call to active duty as explained above. In all cases, the total amount of leave taken in a fiscal year should not exceed your total allotment as defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent an employee or family member has control, medical appointments and treatments related to an employee's or family member's serious health condition should be scheduled outside working hours or at such times that allow for a minimal amount of time away from work.

If you request non-continuous federal FMLA leave which is foreseeable based on planned medical treatment for purposes of providing care to a child, spouse or parent with a serious health condition, for your own serious health condition, or for service member family leave, you may be required to transfer temporarily to an available alternative position offered by the District for which you are qualified and which better accommodates recurring periods of leave than your regular employment position. You will be entitled to equivalent pay and benefits, but will not necessarily be assigned the same duties in the alternative position.

Benefit Continuation During Leave. USD 439 will maintain group health insurance coverage and other employment benefits (such as group life insurance, AD&D, health and dependent flexible spending accounts, etc.) for you while on FMLA leave whenever such insurance was provided to you before the leave was taken and on the same terms as if you had continued to work. You will be required to pay your regular portion of insurance premiums – contact the District Office for an explanation of your options.

Benefits that are accumulated based upon hours worked shall not accumulate during the period of FMLA leave. In some instances, USD 439 may recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from FMLA leave.

Returning to Work. If the reason for FMLA leave is for your own serious health condition, you will be required to present a Fitness-For-Duty certification immediately upon return to work. If you wish to return to work before the scheduled expiration of an FMLA leave, you must notify USD 439 of the changing circumstances as soon as possible. An employee who fails to return to work immediately after the expiration of the leave period will be considered to have voluntarily terminated his/her employment.

Rights Upon Return From Leave. Upon return from Family or Medical Leave, you will be returned to the position you held immediately prior to the leave if the position is vacant. Certain exceptions exist for Key Employees as defined by law. If the position is not vacant, you will be placed in an equivalent employment position with equivalent pay, benefits, and other terms and conditions of employment. If you exhaust all leave

under this policy and are still unable to return to work, your situation will be reviewed to determine what rights and protections might exist under other District policies.

The law provides that an employee has no greater rights upon a return from leave than the employee would have if the employee had continued to work. Therefore, you may be affected by a layoff, termination or other job change if the action would have occurred had you remained actively at work.

MILITARY LEAVE

Employees are entitled to military leave under the Uniformed Services Employment and Reemployment Rights Act of 1994. The Act applies to military service that began on or after December 12, 1994, or military service that began before December 12, 1994, if the employee was a reservist or National Guard member who provided notice to the employer before leaving work. Reemployment rights extend to persons who have been absent from work because of "service in the uniformed services." (See Policy GARID)

RELIGIOUS OBSERVANCES

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. USD 439 respects your religious beliefs and will consider unpaid leave to employees who, for religious reasons, must be away from the district on days of normal operation.

Beyond this, we must reconcile employees' religious obligations with the requirements of running a school district and serving students. Supervisors will authorize schedule changes and/or additional use of vacation leave or unpaid leave, only where the requested arrangement, in the supervisor's judgment, neither prevents the requesting employee from meeting the requirements of the job nor unfairly burdens other employees.

Employees who need time off for religious observance should request leave from their supervisors at least two weeks in advance. Time off is granted only with prior approval, but will not be unreasonably withheld.

JURY DUTY

Employees of the school district shall be excused for jury duty with no jeopardy to their pay or employment. Under this arrangement, the employee will have deducted from his/her district pay the compensation, other than mileage or expenses, received by said employee for jury or witness duty, when performed during time he/she would normally have been on duty for the district. (See Policy GARG)

A copy of the receipt or check must be furnished to the payroll office on or before the 5th of the month when the jury or witness duty occurred.

PROFESSIONAL LEAVE

Classified employees may be granted temporary leave to attend professional-related activities such as attendance at a local, state, or national meeting in the employee's area of expertise. Applications for such leave must be submitted to the central office a minimum of two weeks prior to the scheduled meeting. The application must be in writing and must state the time, place, and purpose of the meeting and must be acknowledged in writing by the immediate supervisor or the building principal. Attendance at the before-stated meetings shall be limited to one meeting annually. In order to be compensated for professional leave, the employee must have prior approval to attend and be paid. (See Policy GBRC)

PROFESSIONAL GROWTH

Expenses incurred through attendance at professional meetings/seminars/conventions will be reimbursed by the Board of Education only if the classified employee is assigned by administration to attend a session.

The following procedure will be followed when applicable.

Section: Time Away from Work

- Advance registration will be paid by the Board of Education through the central office.
- Arrangements for registration, lodging, and transportation will be made by central office personnel, with cooperative efforts from the applicant to provide a cross-check for accuracy and completeness.
- Approved meal costs and related costs will be reimbursed upon presentation of receipts for actual expenditures.
- Classified personnel assigned by the administration to attend meetings, seminars, or conventions will receive compensation according to the Federal and state regulations. Generally, this will include the normal hours the employee would have worked.

GENERAL POLICES

ELECTRONIC IMAGES AND PHOTOGRAPHS

Students and staff are prohibited from taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, depictions of nudity – themselves or others – lewd, threatening or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and e-mailing.

School staff will discourage digital and other photos being taken in school by students, due to privacy concerns. Students and staff should not participate in being photographed at school unless the photographs are for an official or authorized publication. Students and staff who choose to ignore this guidance could face legal or disciplinary consequences.

PERSONAL PROPERTY

The district does not assume any liability for or provide any insurance on employees' personal property.

PERSONAL COMMUNICATION DEVICES

Staff possession or use of personal communication devices on district property, in district facilities during the work day and while the staff is on duty may be permitted subject to the limitations set forth in this language and consistent with any additional school rules. At no time will a personal communication device be used in a manner that interferes with staff duties and the responsibility for the supervision of students. (See Policy GAT)

A personal communication device is a device, not issued by the district, that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor of the device. These devices include, but are not limited to, walkie-talkies, either long- or short-range portable radios, portable scanning devices, cellular telephones, pagers, laptop computers, watches, tablets, and similar devices with wireless capability. This also includes other digital audio and video devices such as, but not limited to, iPods, radios, and TVs.

Personal cellular telephones/pagers and other digital audio and video devices shall be silenced during instructional (or class) time, while on duty or at any other time when such use of the device would cause a disruption of school activities or interfere with work assignment. Cellular telephones which have the capability to take photographs or video shall not be used for such purposes while on district property or while a staff member is on duty in district-sponsored activities, unless as expressly authorized by the principal or designee. The district will not be liable for loss or damage to personal communication devices brought to district property and district-sponsored activities.

Staff members will utilize social network sites (e.g., Facebook, Twitter, etc.) judiciously by not posting confidential information about students, staff, or district business. Staff members will treat fellow employees, students and the public with respect while posting. Communication with students using personal communication devices will be appropriate, professional and related to school assignments or activities. If communicating with students electronically, staff should use district e-mail using mailing lists to a group of students rather than individual students. Texting students is discouraged unless it is for school related business. Employees should not expect an assurance of privacy if personal accounts or devices are used for school business.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff members are subject to disciplinary action up to and including dismissal for using a personal communication device in any manner that is inappropriate, illegal or violates the terms of this policy. The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or

photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

PURCHASING PROCEDURES

All purchases will be made using the district Purchase Order form submitted through Skyward. Submit a completed requisition form to your building principal or supervisor. Upon approval, the business office will submit a purchase order to the appropriate vendor. When the item is delivered to the receiving department, the packing list is checked against the purchase order and the item is delivered to the appropriate school. A vendor invoice will only be paid when the appropriate receiving documentation matches the purchase order. (See Policies DJEF, GAN and GANA)

In the event of an emergency, an employee can “walk” the paperwork through the system for approval and return to the business office with an invoice for payment. The Business Office will determine what is considered an emergency.

Any person making a purchase without prior approval will be liable for that bill. The district assumes no responsibility for paying for purchases made prior to the approval of the Purchase Order.

Expense Reimbursement. Occasionally employees must pay for expenses while on district business. To be reimbursed for any expense, the appropriate Expense Claim form must be completed and submitted to your supervisor or school principal for approval. Any expense that is deemed unnecessary, excessive, or not in the interest of the district will be rejected. If an employee is concerned about reimbursement of an expense, they should seek approval prior to making the purchase. It is important that any expenses are submitted for reimbursement quickly after the expense has occurred. Reimbursement vouchers for expenses that are considered out of date may be rejected. (See Policies DJEF, GAN and GANA)

TRAVEL ALLOWANCE

District-owned transportation is to be used for authorized travel. If an employee uses a privately-owned vehicle when not authorized to do so, reimbursement for such travel will be denied. If an employee is authorized to use a privately-owned vehicle, the employee will be reimbursed for actual miles traveled at a rate established by the Board of Education. All travel must receive prior approval from the Central Office

USE OF EQUIPMENT

No property owned by the Board of Education shall be used for personal reasons away from the workstation unless prior approval has been granted by the proper district officials.

USE OF DISTRICT COMPUTERS AND DEVICES

District issued computers and electronic devices (including, but not limited to, Newlines, iPads, computers, iPhones, eReaders, and eBooks) are for educational and professional use only. All information created by staff or stored thereon is considered district property and shall be subject to unannounced monitoring by district administrators. Employees and/or students shall have no expectation of privacy when using district e-mail or other official communication systems. (See Policies IIBG and IIBGA)

Unauthorized access to and/or unauthorized use of the district server or security system (including, but not limited to, surveillance footage) is also prohibited. The district retains the right to discipline an employee, up to and including termination, for violation of this policy.

Computer materials, devices, software, or applications created as part of any assigned district responsibility or classroom activity undertaken on school time is the property of the board. Employees are responsible for reimbursing the district for replacement of or repair to district issued computers or electronic devices which are lost, stolen, or damaged while in the staff member’s possession.

SOCIAL MEDIA

Our District is committed to maintaining a good relationship with employees and with the outside world. It directly benefits the District as well as the employees and the community if USD 439 maintains a positive reputation and excellent image in the public eye. The way the public views USD 439 is vital to promoting our schools, gaining new students, retaining first-class employees, and recruiting new employees. (See Policies GAT, IIBF, and IIBG)

USD 439 recognizes that many employees have their own individual social networking accounts and use them on their own time. We ask those individuals to keep in mind that some actions on a personal site are visible for the entire social networking community and are no longer private matters. While USD 439 will not be continuously monitoring employees' personal conduct on social networking sites, it might be a good guideline to assume that anything posted on your personal social networking profile could potentially be seen by other employees and parents. Your social media posts are your personal resume to the world.

It is important that employees use their time while at work to conduct district business. It is not appropriate for employees to:

- Use social networking sites to conduct personal or non-district business, browsing social networking sites for non-district business, updating personal information, or reading e-mail alerts regarding personal social networking activity during working hours.
- Micro-blog for a non-business purpose on social network sites during your work shift, whether on a district provided computer or a personal device, during working hours.
- Use micro-blogging features to talk about district business on a personal account, even on non-working time.
- Post anything, he/she would not want a manager/supervisor to see.
- Post any pictures or comments involving the district or other USD 439 employees, or students that could be construed as inappropriate and/or a violation of the student or employee's privacy
- Allow others to post inappropriate or sensitive information regarding USD 439 anywhere on your profile

While USD 439 has no intentions of controlling employees' actions outside of work, it is important that employees use discretion when posting content on the Internet, and especially on social networking sites that could affect USD 439's operations or reputation.

This policy serves as a notice on the practice of social networking for all employees to read and understand. You have a responsibility to the district, students, parents and your co-workers. Disregard of this policy, with or without intent, may result in disciplinary action up to and including termination.

ACTIVITY PASSES

The board shall provide each classified employee with a pass to district-sponsored activities except for specified athletic tournaments and KSHSAA sponsored events. The pass will be reissued annually.