

**2022 -2023**

# **Clarinda Community School District**

## **Classified Handbook**

### **NOTIFICATION OF NON-DISCRIMINATION**

The Clarinda Community School District offers career and technical programs in the following service areas: agricultural education, business education, family and consumer education, and industrial education.

It is the policy of the Clarinda Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and it employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the district's Equity Coordinator, Heidi Bird, 423 E Nodaway Street, 712-542-5165, [hbird@clarindacs.org](mailto:hbird@clarindacs.org).

## **INDEX**

5----- Introduction

### **TERMS OF EMPLOYMENT, CONTRACTING, AND LEAVING**

6----- Definition of Classified Personnel

6----- Recruitment and Selection

6----- Equal Employment Opportunity

7----- Check For Illegal Aliens

7----- Employee Physical Examinations

7----- Contracts

8----- Distribution of Contracts

8----- Assignment

8----- Transfers

8----- Evaluation

8----- Probationary Status

9----- Retirement

9----- Resignation

9----- Suspension

10----- Dismissal

10----- Reduction In Force

### **SOME RULES OF CONDUCT**

10----- Relations to Pupils

10----- Role & Function of Educational Aides

10----- Sexual and Other Harassment Prohibited

11----- Abuse of Students By School District Employees

11----- Substance-Free Workplace

12----- Medical Use of Drugs

12----- Employee Injury on the Job

12---- Reporting of Injuries Required

13---- Communicable Diseases - Employees

13 ---- Hazardous Chemical Disclosure

13 ---- Attendance on Days When School Opening is Delayed

14 ---- Tornado Safety

14 ---- Gifts To Employees

15 ---- Personnel Conflict Of Interest

15 ---- Employee Disciplinary Policy

17 ---- Access To Personnel Files

17 ---- Initial Probationary Period

## PAY AND PAY PROCEDURES

17 ---- Compensation

17 ---- Wage And Overtime Compensation

18 ---- Classified Employee Substitutes

18 ---- Method of Payment

18 ---- Payroll Distribution Procedures

18 ---- Time Cards And Overtime

18 ---- Time Sheet Reporting Procedures

18 ---- Overtime Compensation

## BENEFITS

18 ---- Group Insurance Benefits

20---- Tax Shelter Programs

## LEAVES OF ABSENCE

20 ---- Leave and In-Service Request Approvals

20 ---- Vacations - Holidays - Personal Leave

21 ---- Personal Illness Leave

21 ---- Family and Medical Leave

24 ---- Classified Employee Emergency Leave

24 ---- Classified Employee Bereavement Leave

24 ---- Classified Employee Political Leave

24 ---- Classified Employee Jury Duty Leave

24 ---- Classified Employee Military Service Leave

24 ---- Classified Employee Unpaid Leave

- 25 ---- Classified Employee Professional Purposes Leave
- 25 ---- Other Leaves of Absence
- 25 ---- Worker's Compensation and Sick Leave Deduction
- 25 ---- In-Service and Travel Expenses
- 26 ---- Release of Credit Information
- 26 ---- Recognition for Service of Employees

## **OTHER ITEMS OF CONCERN**

- 26 ---- Threats or Vandalism to Employee Property
- 26 ---- Staff Presentations Before the Board of Directors
- 26 ---- Public Complaints About Employees
- 27 ---- Employee Relations to the Public
- 27 ---- Employee Outside Employment
- 27 ---- Employee Telephone Calls
- 27 ---- Solicitations From Outside
- 28---- Use of School District Facilities & Equipment by Employees
- 28 ---- Use of School District Materials for Internal Communications
- 28 ---- E-Mail for Personal Use

## **INTRODUCTION**

Each of us are employed by the Clarinda Community School District to perform duties that contribute to the safety, health, and ultimately to the educational well-being of the children of this community. Everyone's job is important and must be performed well if we are to succeed in our goals for educating the children of the community we serve.

To your friends and neighbors, you are a representative of the school staff, both on and off duty. You are often their most direct source of information concerning what goes on in the schools.

The information in this Guide is intended to familiarize you with some of the benefits, terms, and conditions related to the classified staff employed by the Clarinda Schools. Much of the information is taken from the "Board Policy Manual" which is found in each building. The terms written in these sources and this guide may change without advance notice from time-to-time. This guide will be revised periodically to reflect those changes, but it may not always contain the latest information. When in doubt about current information, contact your supervisor or the Administration Office. In addition, copies of the entire Board Policy Manual are available in each building and on the district web site.



## **CLASSIFIED PERSONNEL**

### **TERMS OF EMPLOYMENT, CONTRACTING, AND LEAVING**

#### **DEFINITION OF CLASSIFIED PERSONNEL**

Classified employees are employees who are not administrators or employees in positions which require an Iowa Department of Education teaching license and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees shall include, but not be limited to:

- teacher and classroom aides
- custodial and maintenance employees
- clerical employees
- food service employees
- bus drivers
- temporary help for summer or other maintenance employment. The position may be full-time or part-time.

It shall be the responsibility of the Superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions shall be approved by the Board.

Classified employees required to hold a license for their position must present evidence of their current license to the Board Secretary prior to payment of wages each year. (Board policy 411.1)

#### **RECRUITMENT AND SELECTION**

Persons interested in a classified employee position shall have an opportunity to apply and qualify for classified employee positions in the school district without regard to age, race, creed, color, sex, national origin, religion or disability. Job applicants for classified employee positions shall be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate if required for the position.

Notification of positions shall be through teachiowa.gov. Whenever possible, the preliminary screening of applicants shall be conducted by the employee who directly supervises and oversees the position.

The Superintendent shall employ classified employees. Such employment shall be subject to the Board's approval. (Board policy 411.2)

Classified employees who require a special license or other certification shall keep them current at their own expense. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law and by the Iowa Department of Education for the position. (Board policy 411.4)

#### **EQUAL EMPLOYMENT OPPORTUNITY**

The Clarinda Community School District shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, upgrading, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district shall take affirmative action in major job categories where women, men, minorities and persons with disabilities are under-represented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including, but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII Office of Civil Rights, U.S. Department of Education, 310 W. Wisconsin Ave., Ste. 800, Milwaukee, Wisconsin, 53203-2292, (414) 2911111 or the Iowa Civil Rights Commission, 211 E. Maple, Des Moines, Iowa, 50309, (515) 281-4121. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's administrative office and the administrative office in each attendance center.

#### **CHECK FOR ILLEGAL ALIENS**

In accord with federal law the Clarinda Schools will verify that new employees are not illegal aliens. Verification will be made by examining a (1) U.S. passport, (2) U.S. birth certificate, (3) social security card, and (4) a driver license or state issued I.D. card. Both a school representative and the employee must attest in writing that they have complied with the law.

#### **EMPLOYEE PHYSICAL EXAMINATIONS**

Good health is important to job performance. Employees may be required to present evidence of good health, in the form of a physical examination report, prior to their employment with the school district.

School bus drivers shall present evidence of good health every two years in the form of a CDL physical examination. Employees whose physical or mental health, in the judgment of the administration, may be in doubt shall submit to additional examinations, when requested to do so, at the expense of the school district.

The form, indicating the employee is able to perform the duties for which the employee was hired, must be returned prior to payment of salary each year. The cost of employee physical renewals as required every three years will be paid by the school district. The school district shall provide the standard examination form to be completed by the personal physician of the employee. Employees identified as having reasonably anticipated contact with blood or infectious materials shall receive the Hepatitis B vaccine or sign a written waiver stating that they will not take the vaccine. (Board Policy 403.1)

#### **CONTRACTS**

The Board will enter into written contracts with classified employees employed on a regular basis. The contract will state the terms of employment.

Each contract shall include a two-week cancellation clause. Either the employee or the Board must give notice of the intent to cancel the contract at the end of two weeks. This notice will not be required when the employee is terminated during a probationary period or for cause.

Classified employees shall receive a job description stating the specific performance responsibilities of their position.

It shall be the responsibility of the Superintendent or his/her designee to draw up and process the classified employee contracts and present them to the Board for approval. The contracts, after being signed by the Board President, shall be filed with the Board Secretary. (Board Policy 411.3)

Contracts with full-time classified personnel shall be in writing and shall state the length of time up to one (1) year that the contract shall be in force and the schedule of payment.

A classified staff member may be hired without a contract on a substitute or on a regular basis. When the administration determines that they are hired on a regular basis, they may become eligible for the same benefits and terms as contracted employees.

## **DISTRIBUTION OF CONTRACTS**

It is the goal of the Superintendent or his/her designee to have contracts distributed, either personally or in group meetings, to all returning staff members, before the end of the school year.

## **ASSIGNMENT**

Determining the assignment of each classified employee is the responsibility of the Superintendent and within the sole discretion of the Board. In making such assignments each year, the Superintendent shall consider the qualifications of each classified employee and the needs of the school district.

It shall be the responsibility of the Superintendent to assign classified employees and report such assignments to the Board. (Board Policy 411.5)

## **TRANSFERS**

Determining the location where a classified employee's assignment will be performed is the responsibility of the Superintendent and within the sole discretion of the Board. In making such assignments each year, the Superintendent shall consider the qualifications of each classified employee and the needs of the school district.

The transfer may be initiated by the employee, the Principal or the Superintendent. All reassignments shall be made with full knowledge of the parties related to the assignment and shall be reported to the Board. Changes in assignment requested by staff will be reviewed on a case by case basis. Requests may be approved if assignment change is in the best interest of the school district. All reassignments shall be made only after discussion by those principally concerned and with full knowledge of all related parties. Final action on reassignments shall not be taken until approval has been given by the Superintendent.

It shall be the responsibility of the Superintendent to transfer classified employees and report such transfers to the Board. (Board Policy 411.6)

## **EVALUATION**

Evaluation of classified employees on their skills, abilities, and competence shall be an ongoing process supervised by the Superintendent. The goal of the formal evaluation of classified employees shall be to maintain classified employees who meet or exceed the Board's standards of performance, to clarify each classified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the Board, and to develop a working relationship between the administrators and other employees.

It shall be the responsibility of the Superintendent to ensure classified employees are formally evaluated at least once every three years. New and probationary classified employees shall be formally evaluated twice a year. (Board Policy 411.7)

In fulfillment of the requirements of Iowa Code 279.14, unless other provisions are adopted by the Clarinda Board of Education, the employee performance evaluation criteria are those listed in the current evaluation instruments for certificated personnel, administrative personnel, and for classified personnel.

## **PROBATIONARY STATUS**

The first year of a newly employed classified employee's contract shall be a probationary period. "Day" shall be defined as one work day regardless of full-time or part-time status of the employee. New employees, regardless of experience, shall be subject to this probationary period.

"New" employees include individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the Board during the school year prior to the one for which contracts are being issued.

Only the Board, in its discretion, may waive the probationary period. During this probationary period, the Board may terminate classified employees' contracts at any time. (Board Policy 411.8)

### **RETIREMENT**

Classified employees who will complete their current contract with the Board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the Superintendent, no later than the date set by the Board for the return of the employee's contract to the Board, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the Principal or the Superintendent.

Board action to approve a classified employee's application for retirement shall be final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Classified employees and their spouse and dependents who have group insurance coverage through the school district may be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer. (Board Policy 413.2)

### **RESIGNATION**

Classified employees who wish to resign during the school year shall give the Board notice of their intent to resign and final date of employment and cancel their contract thirty days prior to their last working day. In its discretion, the Board may choose to not accept a resignation of a classified employee prior to finding a suitable replacement. Notice of the intent to resign shall be in writing to the Superintendent. (Board Policy 413.1)

### **SUSPENSION**

Classified employees shall perform their assigned job, respect and follow Board policy and obey the law. The Superintendent is authorized to suspend a classified employee with or without pay pending Board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It shall be within the discretion of the Superintendent to suspend a classified employee with or without pay.

When an employee is to be suspended without pay and circumstances permit, the employee should be given notice, oral or written, of the reasons for the suspension without pay and an opportunity to respond to those reasons before the suspension action is taken. When these safeguards have been met and the Superintendent makes a determination that there are reasonable grounds to believe that the reasons are true and support the suspension without pay, this determination should be in writing and should be given to the employee and included in the personnel file.

In the event of a suspension, appropriate due process will be followed. (Board Policy 413.4)

### **DISMISSAL**

The Board believes classified employees should perform their jobs, respect Board policy and obey the law. A classified employee may be dismissed upon thirty days notice or immediately for cause. Appropriate due process procedures shall be followed.

A classified employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of Board policy or administrative regulations, or a violation of the law. (Board Policy 413.5)

### **REDUCTION IN FORCE**

It is the exclusive power of the Board to determine when a reduction in classified employees is necessary. Employees who are terminated due to a reduction in force shall be given thirty days notice. Appropriate due process will be followed for terminations due to a reduction in force.

It shall be the responsibility of the Superintendent to make a recommendation for termination to the Board. The Superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations. (Board Policy 413.6)

## **RULES OF CONDUCT**

### **RELATIONS TO PUPILS**

In general, students are the responsibility of the professional staff, except as noted below. Classified personnel should assume authority in these matters:

- A. A bus driver is responsible for the students on his/her bus when he/she alone is in charge of the students.
- B. Certain clerks and secretaries are designated to deal with students in attendance and related matters.
- C. A custodian is in charge of a building during "off" hours when he/she is present.
- D. When students are being destructive of public property and no professional staff member is immediately present.
- E. An educational aide shall work with students as directed by the administration and supervised by an administrator or teacher.

### **ROLE AND FUNCTION OF EDUCATIONAL AIDES**

State Standard 12.4 (15) requires the development of procedures for the use of educational support staff. A teacher aide is defined as an employed or volunteer person who under the direction, supervision, and control of an administrator and/or certificated staff member:

- A. Supervises students on a monitorial or service basis;
- B. Performs various clerical and other routine school tasks;
- C. Works with students in a supportive role under conditions determined by the instructional professional staff responsible for the students, but not as a substitute for or a replacement of functions and duties of a teacher.

Duties reserved to the instructional staff shall include:

- A. Diagnosing, prescribing, evaluating, and directing student learning in terms of the school's objectives either singly or in concert with other professional staff members;
- B. Sharing responsibility with the other professional staff members for the development of educational procedures and student activities to be used in achieving school objectives;
- C. Supervising educational aides who assist in serving students for whom the instructional staff member is responsible;
- D. Evaluating or assessing student progress, both during and following instructions, in terms of the objectives sought, and uses the information thus gained as a basis for developing further educational procedures.

### **CORPORAL PUNISHMENT**

In conformity with state law and Board policy, corporal punishment by school personnel is NOT permitted.

### **CONDUCT AND LANGUAGE**

All personnel are expected to exhibit professional conduct and to follow Iowa CHAPTER 25 CODE OF PROFESSIONAL CONDUCT AND ETHICS. Offensive language is to be avoided by employees.

### **SEXUAL AND OTHER HARASSMENT PROHIBITED**

Harassment of employees and students will not be tolerated in the school district. School District includes school district facilities, school district premises, and non-school property if the employee or student is at any school sponsored, school approved or school related activity or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Harassment includes, but is not limited to, racial, religious, national origin, age, disability and sexual harassment. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Other types of harassment may include, but not be limited to, jokes, stories, pictures or objects that are offensive, tend to alarm, annoy, abuse or demean certain individuals and groups.

An employee or student who believes that they have been harassed shall notify the district designated Level I investigators, Mrs. Bird and Mrs. Riddle. The investigator may request that the employee or student complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation shall be kept confidential to the extent possible.

The investigator, with the approval of the Superintendent, or the Superintendent has the authority to initiate a harassment investigation in the absence of a written complaint.

#### **ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES**

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

An individual who has knowledge an employee has physically or sexually abused a student may immediately report it to the district's Level I investigators. (Board Policy No. 402.3)

#### **SUBSTANCE-FREE WORKPLACE**

The Board expects the school district and its employees to remain substance free. No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction. The Superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the Board. If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

A Superintendent who suspects an employee has a substance abuse problem shall follow these procedures:

1. **Identification** - the Superintendent shall document the evidence the Superintendent has which leads the Superintendent to conclude the employee has violated the substance-free workplace policy. After the Superintendent has determined there has been a violation of the substance-free workplace policy, the Superintendent shall discuss the problem with the employee.

2. **Discipline** - if, after the discussion with the employee, the Superintendent determines there has been a violation of the substance-free workplace policy, the Superintendent may recommend discipline up to and including termination or may recommend the employee seek substance abuse treatment. Participation in a substance abuse treatment program is voluntary.

3. **Failure to participate in referral** - if the employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.

4. **Conviction** - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five days of the conviction.

**MEDICAL USE OF DRUGS:** Employees who are using drugs in accordance with medical purposes, when such drug usage may impair their work performance, should consult with their supervisor. If the medication affects the employee's work, arrangements may be made for the employee to have the necessary time off. This will be handled on a case by case basis.

## **EMPLOYEE INJURY ON THE JOB**

When an employee becomes seriously injured on the job, the building principal shall notify a member of the family, or an individual of close relationship, as soon as the building principal becomes aware of the injury.

The school district is not responsible for medical treatment of an injured employee. If possible, an employee may administer emergency or minor first aid. An injured employee shall be turned over to the care of the employee's family or qualified medical employees as quickly as possible.

It shall be the responsibility of the employee injured on the job to inform the Superintendent within twenty-four hours of the occurrence. It shall be the responsibility of the employee's immediate supervisor to file an accident report within twenty-four hours after the employee reported the injury.

It shall be the responsibility of the employee to file claims, such as workers' compensation, through the board secretary. (Board Policy No. 403.2)

## **REPORTING OF INJURIES REQUIRED**

The law requires that any injury on the job must be reported to the immediate supervisor at the time of the injury, EVEN IF THE INJURY IS SLIGHT. The principal or a supervisor is to report the injury in writing to the School Business Manager who will need to collect details from the injured employee.

The School Business Manager must report to the insurance company within 48 hours. If the injury requires medical attention, this must be reported by the employee to the School Business Manager who is to report the claim to the Workman's Compensation insurance company, and claims reported after 90 days may be grounds for a denial. Legitimate Workman's Compensation insurance claims may be denied by the health insurance carrier as a claim, and Workman's Compensation claims may be denied if not properly reported.

Any wage supplement payments received from Workman's Compensation insurance must be reported by the employee to the School Business Manager. These payments may be deducted from the employee's sick leave payments received for the same period.

#### **COMMUNICABLE DISEASES - EMPLOYEES**

Employees with a communicable disease will be allowed to perform their customary employment duties as long as they are able to perform the tasks assigned to them and as long as their presence does not create a substantial risk of illness transmission to the students or other employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by the State Department of Health.

The health risk to immuno-depressed employees shall be determined by their personal physician. The health risk to others in the school district environment from the presence of employees with a communicable disease shall be determined on a case-by-case basis by public health officials.

Since there may be greater risks of transmission of a communicable disease for some persons with certain conditions than for other persons infected with the same disease, these special conditions, the risk of transmission of the disease, the effect upon the education program, the effect upon the person and other factors deemed relevant by public health officials or the Superintendent shall be considered in assessing the employee's continued presence and performance of their employment responsibilities. The Superintendent may require medical evidence that employees with a communicable disease are able to perform their assigned duties.

An employee shall notify the Superintendent or the school nurse when the employee learns he/she has a communicable disease. It shall be the responsibility of the Superintendent, when the Superintendent has knowledge that a communicable disease is present, to notify the State Department of Health. Rumor and hearsay shall be insufficient evidence for the Superintendent to act.

Health data of an employee is confidential and it shall not be disseminated. (Board Policy No. 403.3)

#### **HAZARDOUS CHEMICAL DISCLOSURE**

The Board authorizes the development of a comprehensive hazardous chemical communications program for the school district to disseminate information about hazardous chemicals in the workplace.

Each school district employee, who is regularly exposed to hazardous chemicals in the workplace, shall review this information about hazardous substances annually. Further, when a new school district employee is hired, the information and training, if necessary, shall be included in the orientation of the employee. When an additional hazardous substance enters the workplace, information about it shall be distributed and training shall be conducted for the appropriate employees. The Superintendent shall cause to have a file maintained indicating when training and information takes place.

School district personnel who will be instructing or otherwise working with students shall disseminate information about the hazardous chemicals they will be working with as part of the instructional program. School district personnel are required to disseminate the information when the materials are used in the instructional program.

#### **ATTENDANCE ON DAYS WHEN SCHOOL OPENING IS DELAYED**

Except when unusual circumstances cause an announcement to the contrary, whenever it is necessary to delay the beginning of a school day for inclement weather or other reasons, each staff member is expected to report to duty by an equal delay. This delay does not apply to selected personnel whose duties are necessary. Food Service staff members are expected to report on late start days. If breakfast is canceled, site servers should call to determine their alternate assignment.

## **TORNADO SAFETY**

For the employee's own safety and for the safety of other building occupants, every employee is urged to familiarize themselves with the fire and tornado regulations posted in the building.

## **GIFTS TO EMPLOYEES**

Employees may receive a gift on behalf of the school district. Employees shall not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the employee's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction. A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:
- Contributions to a candidate or a candidate's committee;
- Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member or solicited by or given for the same purposes to state,
- National or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.

An "honorarium" is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa Department of General Services; or
- A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as an employee of the district, but rather, because of some special expertise or other qualification.

It shall be the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium. (Board Policy No. 402.4)

### **PERSONNEL CONFLICT OF INTEREST**

School district employee's use of their position with the school district for personal financial gain shall be considered a conflict of interest with their position as a school district employee and may subject the employee to disciplinary action.

Employees of the school district have access to information and a captive audience that could award the employee personal or financial gain. No school district employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may, upon five (5) days notice, require the employee to cease such solicitations as a condition of continued employment.

School district personnel shall not act as an agent or dealer for the sale of textbooks or other school supplies to the school district. School district employees shall not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to pupils or to parents. School district employees shall not engage in outside work or activities where the source of information concerning the customer, client, or employer originates from information obtained because of the employee's position in the school system.

It shall be the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

The approval of the superintendent will be required prior to solicitation of other employees, students, or community members for school-sponsored or non-school-related charitable organizations by school district personnel acting as representatives of the school district.

### **EMPLOYEE DISCIPLINARY POLICY**

#### **A. Minor and Major Infractions Explained**

Minor infractions will normally result in a verbal reprimand or written warning unless the infraction is repeated. Two or more minor infractions may be considered a major infraction. Examples of minor infractions include, but are NOT limited to: leaving a work area without permission, hazardous housekeeping, unorthodox behavior which is disruptive to the work to be performed, failure to complete and return reports in a timely manner, and lateness in arrival at work station.

Major infractions, depending on the gravity of the offense, at the discretion of the administration, may include disciplinary action up to and including recommendation for discharge. Examples of major infractions include, but are NOT limited to: insubordination, stealing, falsification of records, immoral conduct during or affecting job performance, under the influence of drugs or alcohol affecting job performance, and two or more minor infractions.

Any misconduct on the part of any employee at any time or place, which affects school relationships, which is disruptive to the educational process, which adversely affects the employee's ability to perform their responsibilities, which adversely affects the employee's ability to maintain a proper role model, or which diminishes the school's educational standards, will result in the placement of a written reprimand in the employee's file or in suspension, termination, or discharge or a combination of such disciplinary actions.

Certain infractions may be intolerable and may lead to immediate recommendation for dismissal.

#### B. Disciplinary Measures

When an employee's behavior is such as to warrant penalty, disciplinary actions are available to administrative and supervisory personnel. The nature of the disciplinary action will depend on the nature of the infraction, the frequency of the infraction, previous penalties issued for the same or similar offenses, and other considerations. Disciplinary measures include, but are not limited to, the following:

##### **1. Oral Warning or Reprimand:**

The supervisor may wish to make a note of the time, date and nature of the warning, but the note will NOT be placed in the employee's Central Office file without notification to the employee, and approval of the Superintendent. This does not prohibit the inclusion of other anecdotal information in an employee's file without notifying an employee.

##### **2. Written Warning or Reprimand:**

The written warning is to be submitted to the Superintendent for inclusion in the employee's file and the employee will receive a copy of the written warning.

##### **3. Probation:**

The supervisor may notify the employee in writing that a written recommendation has been made to the Superintendent that the employee be placed on probationary status for a specified period of time. During the probationary period, the employee's conduct will be observed for repetition of the unwarranted behavior or other unwarranted behavior. If no such behavior is observed during the probationary period, the probation will expire. If continued unwarranted behavior is observed, further disciplinary action is in order. (Not to be confused with the probationary status outlined in Chapter 279 of Iowa Code.) A written record of the probationary terms will be supplied to the employee and placed in the employee's file.

##### **4. Suspension:**

The supervisor will provide the employee a written notice of suspension immediately or as soon after the action as practicable. Unless there has been a major infraction indicating the need for immediate suspension, the Superintendent will normally be advised in advance of the suspension and grant approval of the action. Periods of suspension will be designated as being with, or without, pay. The length of the suspension may be specified as a set period of time or as a prelude to a recommendation to the Board for discharge. A written record of the terms of the suspension will be supplied to the employee and placed in the employee's file.

##### **5. Recommendation to the Board for Discharge:**

Only the Board may discharge an employee. A supervisor may seek discharge by recommending to the Superintendent that an employee's discharge be recommended to the Board. (Sections of Chapter 279 of the Iowa Code will be observed in contemplating a discharge recommendation for applicable employee classification.) A recommendation to discharge a probationary employee need not involve lower levels of discipline and may be made for even minor infractions.

#### C. Appeal of Disciplinary Action

Except for Oral warnings and reprimands, an employee may appeal the disciplinary action of a supervisor to the superintendent.

Upon review, the Superintendent may alter, revoke, reduce, increase, or otherwise amend the terms of the disciplinary action. Within ten (10) calendar days of the beginning of disciplinary action, an employee receiving disciplinary action may appeal to the Superintendent.

Within ten (10) days the Superintendent will meet with the employee to discuss the disciplinary action. Within five (5) days of the meeting, the Superintendent will furnish a written response. In cases of recommended discipline, the Superintendent may choose to initiate an inquiry which will follow the same general procedures as a superintendent review, and will replace the review by the superintendent.

After receiving the Superintendent's written response, or after having received no response in the time specified, the employee may request a hearing before the Board of Education by filing a written request with the Board Secretary within 10 days. The Board will determine whether or not to conduct a hearing. If a hearing is granted, the hearing before the Board may be restricted to review of the procedures or it may be a hearing of the full evidence, as decided by the Board. In cases where recommendation is made for termination of a certificated or administrative employee, the procedures for appeal listed in the Iowa Code (Chapter 279) shall apply in place of this provision.

### **ACCESS TO PERSONNEL FILES**

Employees are permitted by law to view and/or reproduce their own personnel file including documents related to performance evaluations, disciplinary records, and other information. The following restrictions apply: (1) the employer and employee must mutually agree on the time and an employer representative must be present at the time, (2) employees are not allowed access to employment references written on the employees' behalf, and (3) the district may charge reasonable fees up to five dollars for copies made.

### **INITIAL PROBATIONARY PERIOD**

The initial three (3) months period of actual employment for each classified employee will be considered a probationary period. Should the employee's performance within the probationary period be judged unsatisfactory, the superintendent will recommend his/her termination.

## **PAY AND PAY PROCEDURES**

### **COMPENSATION**

The Board shall determine the compensation to be paid for the classified employees' positions, keeping in mind the education and experience of the classified employee, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the Board.

It shall be the responsibility of the Superintendent to make a recommendation to the Board annually regarding the compensation of classified employees.

The Board may, based on the Superintendent's recommendation, hold classified employees at their current salary level for disciplinary purposes. (Board Policy 412.1)

### **WAGE AND OVERTIME COMPENSATION**

Each non-exempt employee compensated on an hour-by-hour basis, whether full-time or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee shall be compensated at one and one-half times their regular hourly wage rate. This compensation shall be in the form of overtime pay or compensatory time at the Superintendent's discretion. Overtime will not be permitted without prior authorization of the employees' supervisor.

Each non-exempt employee paid on an hour-by-hour basis must complete, sign, and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the Board Secretary to maintain wage records. (Board Policy 412.2)

## **CLASSIFIED EMPLOYEE SUBSTITUTES**

The Superintendent shall employ substitute and temporary classified employees. Such employment shall be subject to the Board's approval at its next meeting, when the Superintendent shall present the names and salaries of the employees to the Board. (Board Policy No. 415)

## **METHOD OF PAYMENT**

Classified personnel shall be paid monthly on the 19th day of the month. Payment for all contracted staff shall be distributed over twelve (12) months. Hourly employed personnel will be paid on an actual basis for the pay period they have worked.

## **PAYROLL DISTRIBUTION PROCEDURES**

Payroll will be automatically deposited on the 19th day of the month. When a pay date falls on a date when school is not scheduled to be in session, the employees shall receive their payment on the last previous working day.

## **TIME CARDS AND OVERTIME**

Each hourly employee must submit time sheets for each pay period. Only in extreme emergency circumstances, with supervisor approval, may employees exceed a 40-hour work week and be compensated at a rate of one and one-half times their regular compensation.

## **TIME SHEET REPORTING PROCEDURES**

In order to comply with the Federal Wage and Hour Laws, the following shall apply to hourly employees: A. Each hourly employee must turn in a completed time sheet listing hour actually worked.

- B. Each employee will be paid for only those hours authorized to work and actually worked (except applicable leaves, vacations, etc.).
- C. Each hourly employee is permitted to work only the hours called for on their contract unless specifically authorized more work time by their immediate supervisor.
- D. An hourly employee is not allowed to work extra time without pay at his/her regular duties. That is, an employee cannot donate time either to the school district or to some organization paying to use school district facilities.
- E. When an hourly employee works beyond 40 hours in one week, the employee must accept time and one-half in pay. The employee cannot volunteer to work over 40 hours per week at straight time. Vacations, leaves, holidays or other paid time not actually worked does NOT contribute towards the 40 hours in that week.
- F. When school is dismissed early prior to holidays, for inclement weather, or in-service, an employee MAY not be required to work all contracted hours scheduled for work. These hours should be listed on the time sheets as "X hours paid, but not worked."
- G. When the contract entitles an hourly employee to a "paid holiday" or "paid vacation" day, these phrases should be written on the time sheet on the appropriate days.

## **OVERTIME COMPENSATION**

Supervisors will attempt to schedule work within the contracted time of employees and will be reluctant to authorize work beyond contract hours. Time shifting (reporting later, leaving earlier, lengthening of lunch time) may be used to keep employees on duty when needed and avoiding the extension of the actual time worked.

SECRETARIES SELLING TICKETS at an event for their building of assignment is an event so closely related to their normal duties that it may qualify as overtime. Ticket selling time should be EXCLUDED from regular time sheets and INCLUDED on the extra duty pay voucher. If the overtime rate applies, it will be compared to the supplemental pay, and the secretary will be paid the higher amount for the time worked. All other employees will receive supplemental pay for ticket taking regardless of the amount of time involved.

## BENEFITS

### GROUP INSURANCE BENEFITS

Classified employees may be eligible for group insurance benefits as determined by the Board and required by law. The Board shall select the group insurance program and the insurance company which will provide the program.

This policy statement does not guarantee a certain level of benefits. The Board shall have the authority and right to change or eliminate group insurance programs for its classified employees. (Board Policy 412.3) The following insurance benefits may be available provided the individual employee enrolls in a timely manner and the insurance carrier accepts them as eligible for coverage.

#### A. Health, Major Medical, and Disability:

The District shall provide all eligible full-time employees with a monthly allotment, to be used toward the purchase of insurance options, purchase of annuity, cash in lieu, or a combination of insurance/annuity/cash. The monthly allotment will be proportionate to number of months worked.

The District will make available to employees eligible for medical insurance, at the Board's expense, a long-term group disability insurance program with coverage to include a ninety (90) day elimination period, 60% of salary up to a maximum of \$2,500.00 per month (integrated with Social Security) and benefits to end of disability to age 65. The long-term disability coverage is available only to those regularly employed thirty (30) hours weekly and all regular route bus drivers.

#### B. School Liability:

All employees shall be covered by a school financed liability insurance coverage covering job-related performance of duties.

#### C. Worker's Compensation:

Each employee will be covered by worker's compensation as provided by law, cost to be paid for by the Board. An individual eligible for worker's compensation benefits may have the benefit supplemented to full pay status if the individual has sick leave benefits remaining and if the individual is informed of this option and elects to receive the benefit. Sick leave will be reduced by one full day for each day in which full pay is received by the employee from either worker's compensation, sick leave or both. Partial pay will receive proportionate sick leave reduction.

#### D. Life Insurance:

The Employer shall provide a \$25,000 level term life insurance policy with Accidental Death and Dismemberment on the life of all full-time employees employed 30 hours weekly, and all regular route bus drivers.

#### E. Selection of Carriers:

All insurance program carriers shall be selected by the Board. The open enrollment period shall be jointly established by the Board, and the insurance carrier. All new employees shall be notified of the open enrollment at the time they receive their contract. If a change of carrier is being considered, the Clarinda Education Association will be asked for recommendations and information, but such change remains the prerogative of the Board.

#### F. Coverage:

The Board provided insurance programs shall be for the time of the contract period, usually beginning July 1 and ending June 30 of the contract year. Coverage for individual employees and/or dependents shall be for the duration of employment except where otherwise stated. Employees new to the district shall be covered by the Board provided insurance, if application is made timely, on the first day of the month following, or coinciding with their first day of employment.

#### G. Continuation:

Employees on paid leave shall continue to have Board contributions made according to the level described above. Employees on non-paid leave for one month or longer shall have the option to continue the health and major medical insurance program for the duration of the leave by paying the premiums themselves to the Board if such purchase is possible under the regulations set by the carrier.

**H.** All terms and conditions of the above provided insurance benefits, including but not limited to, eligibility for coverage, continuation, and coverage period, shall be subject to any subsequent changes, conditions, and regulations made by the carrier.

#### **TAX SHELTER PROGRAMS**

The Board authorizes the administration to make a payroll deduction for classified employees' tax sheltered annuity premiums purchased through an Iowa-licensed insurance agent from an insurance organization authorized to do business in Iowa.

Classified employees wishing to have payroll deductions for tax sheltered annuities shall make a written request to the Superintendent. (Board Policy 412.4)

### **LEAVES OF ABSENCE**

#### **LEAVE AND IN-SERVICE REQUEST APPROVALS**

All leave and in-service requests may be submitted on forms provided to the immediate supervisor. Approval of leaves will normally be made by your supervisor.

Whenever an employee is absent under sick leave for two or more days, the administration may require a physician's verification of the reason(s) for the absence and/or fitness to return to work.

#### **VACATIONS - HOLIDAYS - PERSONAL LEAVE**

The Board shall determine the amount of vacation, holidays and personal leave that will be allowed on an annual basis for classified employees. Classified employees who work twelve months a year will be allowed six paid holidays, if the holidays fall on a regular working day. The six holidays shall be New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day. A seventh holiday, Good Friday, will also be considered a paid holiday, if school is not scheduled on that day.

Classified employees will be paid only for the hours they would have been scheduled for the day. Vacation shall not be accrued from year to year without a prior arrangement with the Superintendent. (Board Policy 414.1)

Classified employees who work twelve months a year who have served a full year (12 months) are entitled to two weeks vacation with pay. After the 12-month classified employee has completed 15 years of service to the school district, three weeks of paid vacation will be granted.

The Superintendent of Schools shall establish a vacation schedule for all classified employees of the district. Vacation times may not accrue from one year to the next and except in cases of emergency, employees may not be employed for extra wages during vacation periods. No pay is intended to be granted for unused vacation days except in case of termination from employment. Any unused vacation days accumulated from a previous fiscal year will be forfeited if they are not used by July 1st.

An employee shall be granted up to two (2) days each year for Personal Leave. An employee shall notify the principal at least five (5) school days in advance, except in cases which the employee and Board agree to waive this requirement.

Applications for Personal Leave may be denied by the Board when over nine (9) of the over-all employees are to be absent on Personal Leave or when three (3) of these employees assigned to each of the 3 categories (PS-3, 4-6, 7-8, 9-12) shall be absent on Personal Leave.

Unused Personal Leave shall roll over and can accumulate to no more than five days that can be used consecutively upon administrative approval. Once an employee exceeds five (5) Personal Leave days, they shall be reimbursed at a rate of \$75 per day.

## **PERSONAL ILLNESS LEAVE**

Each employee will be annually granted fifteen (15) days leave with full pay for absences due to personal or immediate family (spouse, children, mother, father) illness or injury. Employees shall be credited with the leave on the first day of reporting to work for the new contract year. Unused portions of sick leave shall accumulate up to one hundred five (105) days at the beginning of the contract period. At that point, the fifteen (15) days for the current year will be added to the accumulated amount for a total available amount of up to one hundred twenty (120) days of which only one hundred five (105) days will be available to carry over into the next year.

An employee who is unable to perform any type of work because of personal illness or disability and who has exhausted all accumulated sick leave between January 1st and June 30th shall be granted a leave of absence without pay for the duration of such illness, or disability, up to the end of the current contracted year, but need not be granted leave for the following contract year.

An employee shall be allowed to maintain group insurance benefits at his/her own expense during periods of disability while on leave of absence if the insurance carrier permits. Benefits received by an employee under Workman's Compensation provisions will be reported to the Central Office and such amounts will be deducted from any sick leave pay covering the same period.

## **FAMILY AND MEDICAL LEAVE**

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as the fiscal year. Requests for family and medical leave shall be made to the Superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. (Board Policy 414.3)

### **Family and Medical Leave Regulation**

#### **A. School district notice.**

- 1 The school district will post the notice regarding family and medical leave.
- 2 Information on the Family and Medical Leave Act and the Board policy on family and medical leave, including leaving provisions and employee obligations will be provided annually. The information will be in the Classified Staff Guide.
- 3 When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
  - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement;
  - b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so;
  - c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
  - d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

#### **B. Eligible employees.**

Employees are eligible for family and medical leave if three criteria are met.

- 1 The school district has more than 50 employees on the payroll at the time leave is requested;
- 2 The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and
- 3 The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

If the employee requesting leave is unable to meet the above criteria, then the employee is not eligible for family and medical leave.

C. Employee requesting leave -- two types of leave.

1. Foreseeable family and medical leave.
  - a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
  - b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received.
  - c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.
2. Unforeseeable family and medical leave.
  - a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
  - b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
  - c. A spouse or family member may give the notice if the employee is unable to personally give notice.
3. Medical certification.
  - a. When required:
    - (1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
    - (2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
  - b. Employee's medical certification responsibilities:
    - (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
    - (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
    - (3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.

Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification shall be denied until such certification is provided.

E. Entitlement

1. Employees are entitled to twelve weeks unpaid family and medical leave per year.
2. Year is defined as Fiscal year.
3. If insufficient leave is available, the school district may:
  - a. Deny the leave if entitlement is exhausted
  - b. Award leave available
  - c. Award leave in accordance with other provisions of Board policy or the collective bargaining agreement.

F. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
  - a. Intermittent leave is available for:
    - (1) Birth, adoption or foster care placement of child only with the school district's agreement.

- (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district's agreement.
  - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits.
3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
    - a. Reduced work schedule family and medical leave is available for:
      - (1) Birth, adoption or foster care placement and subject to the school district's agreement.
      - (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district's agreement.
    - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
    - c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits.

G. Special Rules for Instructional Employees

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
  - a. Take leave for the entire period or periods of the planned medical treatment; or
  - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.
  - a) If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
  - b) If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
  - c) If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period.

Employee Responsibilities While on Family and Medical Leave

1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.
2. The employee contribution payments will be deducted from any money owed to the employee or the employee shall reimburse the school district at a time set by the Superintendent.
3. An employee who fails to make the health care contribution payments within fifteen days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.
4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification. (Board Policy 414.3RI)

**Note:**

The Classified Employee Family and Medical Leave Definitions are described in Board Policy 414.3R2

### **CLASSIFIED EMPLOYEE EMERGENCY LEAVE**

The Board realizes an emergency may arise which would necessitate a classified employee's absence from work which is not covered by another form of leave of absence. Such leave shall be called emergency leave.

Employees shall be granted up to five days leave of absence with full pay each year for the legal adoption of a child, illness or death in the immediate family (spouse, children, mother, father) or in special cases when the employee feels that the immediate family might include others. This leave may accumulate to ten (10) days.

The Superintendent shall have the discretion to grant emergency leave. (Board Policy 414.4)

### **CLASSIFIED EMPLOYEE BEREAVEMENT LEAVE**

Employees will receive a leave of absence with full pay for funerals they feel they should attend. Attendance at funerals will be deducted from the employee's family emergency or business leave.

It shall be within the discretion of the Superintendent to determine the number of bereavement leave days to be granted. (Board Policy 414.5)

### **CLASSIFIED EMPLOYEE POLITICAL LEAVE**

The Board will provide a leave of absence to classified employees to run for elective public office. The Superintendent shall grant a classified employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The classified employee will be entitled to one period of leave to run for the elective public office, and the leave may commence any time within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the Superintendent at least thirty days prior to the starting date of the requested leave. (Board Policy 414.6)

### **CLASSIFIED EMPLOYEE JURY DUTY LEAVE**

The Board will allow classified employees to be excused for jury duty unless extraordinary circumstances exist. The Superintendent has the discretion to determine when extraordinary circumstances exist.

Classified employees will receive their regular salary. Any payment for jury duty shall be turned over to the school district. When the classified employee is dismissed from jury duty, the employee shall report to the Superintendent. The employee shall be required to perform the employee's duties remaining to be completed that day. (Board Policy No. 414.7)

### **CLASSIFIED EMPLOYEE MILITARY SERVICE LEAVE**

The Board recognizes classified employees may be called to participate in the armed forces, including the national guard. If a classified employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave. (Board Policy No. 414.8)

### **CLASSIFIED EMPLOYEE UNPAID LEAVE**

Unpaid leave may be used to excuse an involuntary absence not provided for in other leave policies. Unpaid leave for classified employees must be authorized by the Superintendent. Whenever possible, classified employees shall make a written request for

unpaid leave ten days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary shall be made unless they are waived specifically by the Superintendent.

The Superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the Superintendent shall consider the effect of the employee's absence on the education program and school district operations, the financial condition of the school district, length of service, previous record of absence, the reason for the requested absence and other factors the Superintendent believes are relevant in making this determination.

If its unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the education program whenever possible, to minimize the disruption of the education program and school district operations. (Board Policy 414.9)

### **CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE**

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the Superintendent prior to the meeting or conference.

It shall be within the discretion of the Superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program and school district operations, or for other reasons deemed relevant by the Superintendent. (Board Policy No. 414.10)

### **OTHER LEAVES OF ABSENCE**

The Superintendent or Board may authorize absence without pay for reasons which are urgent and necessary. Advance application and approval should be received, and if not, application should be made no later than five (5) days after the occurrence.

For each 20 days approved as unpaid leave, excluding personal illness or injury, the employee will lose 1 month's benefits (insurance, leaves and paid vacation). The employee having a month's insurance reduced may elect to reimburse the district for the premiums or that amount will be deducted from their gross pay.

The Board may grant paid or unpaid leave for any reasons not specified in other policy when deemed appropriate.

All leave and in-service requests may be submitted on forms provided to the immediate supervisor. Approval of leave will normally be made by the Superintendent.

### **WORKER'S COMPENSATION AND SICK LEAVE DEDUCTION**

District employees are covered under the Worker's Compensation Act, and are entitled to its benefits under terms of the law. Premiums are paid entirely by the school district.

An individual eligible for Worker's Compensation benefits may have the benefits supplemented to full pay status if the individual has sick leave benefits remaining, and if the individual is informed of this option and elects to receive the benefits. Sick leave will be reduced by one full day for each day in which full pay is received by the employee from either Worker's Compensation, sick leave, or both. Partial pay will receive proportionate sick leave reduction.

### **IN-SERVICE AND TRAVEL EXPENSES**

The Superintendent may authorize and present for Board payment the reimbursement of expenses for attending meetings, conferences or attending to school business. Authorized expenses may include travel, meals, lodging, and fees.

#### **A. In District**

District employees will receive fifty cents (\$.50) per trip or one dollar (\$1.00) per round trip to use their own vehicle to commute between buildings as part of their daily schedule. To reduce record- keeping, the Superintendent and an employee may annually agree to a monthly or semester rate of compensation which corresponds to the estimate of the scheduled in-district travel of that employee.

#### **B. Out of District**

School employees are encouraged to use school owned vehicles to travel outside of the school district. In some instances, use of a private vehicle for business out-of-district may be granted if authorized by the Superintendent. Prior approval is required.

Use of private vehicle for school business out-of-district will be reimbursed at a rate of twenty-eight and three quarter cents (\$.2875) per mile.

#### **RELEASE OF CREDIT INFORMATION**

The following information will be released to an entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will be released to an inquiring creditor with a written authorization from the employee.

It shall be the responsibility of the Board secretary or superintendent to respond to inquiries from creditors.

#### **RECOGNITION FOR SERVICE OF EMPLOYEES**

The Board recognizes and appreciates the service of its employees. Employees who retire or resign may be honored by the Board, administration and staff in an appropriate manner. (Board Policy No. 401.14)

#### **OTHER ITEMS OF CONCERN**

#### **THREATS OR VANDALISM TO EMPLOYEE PROPERTY**

If any school employee receives threats, vandalism or damage to personal property, and they suspect that the actions are related to their job, they are encouraged to report the incident to the police and the school administration.

Should the guilty party become known, the employee is urged to cooperate with the authorities to prosecute through established legal channels.

#### **STAFF PRESENTATIONS BEFORE THE BOARD OF DIRECTORS**

From time to time, the Superintendent may require staff members to present information concerning their area of responsibility to the Board of Directors.

Staff members desiring to present information before the Board should make their request to the Superintendent.

#### **PUBLIC COMPLAINTS ABOUT EMPLOYEES**

The Board recognizes situations may arise in the operation of the school district which are of concern to parents and other members of the school district community. While constructive criticism is welcomed, the Board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

The Board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the Board it will be referred to the administration to be resolved. Prior to Board action however, the following should be completed.

1. Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.
2. Unsettled matters from (1) above or problems and questions about individual attendance centers should be addressed to the employee's building principal for licensed employees and the superintendent for classified employees.
3. Unsettled matters regarding licensed employees from (2) above or problems and questions concerning the school district should be directed to the superintendent.
4. If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the Board. To bring a concern regarding an employee, the individual may notify the Board President in writing, who may bring it to the attention of the entire Board, or the item may be placed on the Board agenda of a regularly scheduled Board meeting in accordance with board policy 214.1.

The Board will address complaints from the members of the school district community if they are in writing, signed, and the complainant has complied with this policy. (Board Policy No. 402.5)

### **EMPLOYEE RELATIONS TO THE PUBLIC**

Members of the school district community shall be treated with respect by employees. The Board encourages active participation by employees in community activities and events.

It shall be the responsibility of employees as they participate in various community groups and events, to make a conscientious effort to make the school district and its events a real part of the community. Employees shall take advantage of their participation in the community to look for opportunities in which the community and school district can join forces for the betterment of the school district and the community. (Board Policy No. 402.6)

### **EMPLOYEE OUTSIDE EMPLOYMENT**

The Board believes the primary responsibility of employees is to the duties of their position within the school district as outlined in their job description. The Board considers an employee's duties as part of a regular, full-time position as full-time employment. The Board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It shall be the responsibility of the superintendent to counsel employees, whether full-time or part-time, if, in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position within the school district.

The Board may request the employee to cease the outside employment as a condition of continued employment with the school district. (Board Policy No. 402.7)

### **EMPLOYEE TELEPHONE CALLS**

The Board recognizes the need of its employees to receive and make telephone calls during working hours.

Employees may receive and make personal telephone calls during lunches, breaks, or preparation periods. Employees may receive an emergency telephone call at any time. It shall be the responsibility of the employee to exercise discretion in making and receiving telephone calls during working hours. Employees must pay for personal phone calls. (Board Policy No. 402.8)

### **SOLICITATIONS FROM OUTSIDE**

Generally, employees should be free from solicitations at their place of employment. No organization or individuals, including employees, may solicit or distribute flyers or other materials within school district facilities or on school district grounds without the approval of the superintendent.

No employee shall be made responsible, or assume responsibility, for the collection of money or the distribution of fund drive literature within the school district unless such activity is voluntary and has been approved by the superintendent. (Board Policy No. 402.9)

## **USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT BY EMPLOYEES**

The primary purpose of the school district facilities and equipment is to deliver a quality education program. Resources for school district equipment are limited; therefore, each user must operate the equipment with the utmost care. Employees may use school district equipment for any school purpose or activity held during the school day or for a school-sponsored event. Employees may also use school district equipment for events not sponsored by the school district with the permission of their building principal. The event must be educationally related.

Employees may use the school district facilities when it does not interfere with the delivery of the education program. Employees may use the school district facilities for other than employee school-related business with the permission of the principal. The employee will be responsible for ensuring the building is in the condition it was found. For non-school related business, the employee will be responsible to meet the requirements set out by the principal when the request is granted.

## **USE OF SCHOOL DISTRICT MATERIALS FOR INTERNAL COMMUNICATIONS**

School district materials are purchased and used for the delivery of the education program. Employees may use school district materials and equipment for internal communication among themselves when the communication is directly related to the education program. Communications distributed to or between employees shall also be distributed to the building principal and the superintendent.

When the communication will involve unusual expense or use of materials, the employee must first have permission of the principal. (Board Policy No. 401.1 0)

## **E-MAIL FOR PERSONAL USE**

The Clarinda Community School District encourages the use of e-mail in daily operations related to your job. Any personal e-mail messages should be handled after the employee's work day.