



Unified School District 506  
Altamont, KS

Employee Handbook

**USD 506**  
Labette County  
401 S. High School St  
Altamont, KS 67330  
(620) 784-5326

An Equal Opportunity Employer



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## **INTRODUCTION**

### **LETTER FROM THE SUPERINTENDENT Dr. John Wyrick**

As we enter this school term we are pleased to provide you with this Employee Hand Book. The information in this handbook will provide you with a quick reference in regard to human resource questions that occur throughout the school year.

You will find that the handbook provides information for the following: Employment policies; Employee safety; Payroll Information & Personnel Files; Code of Conduct; Specific Department Information; Benefit Information; Time Away from Work; General Policies. The handbook provides for comprehensive overview for both our Licensed and Classified staff.

Please spend time familiarizing yourself with this handbook as the information contained inside may save you a phone call or visit to our office. We wish a safe and productive school year and we are here to assist you when needed.

We will be looking forward to seeing you during the year both at work and at school events.

Yours Truly,

Dr. John Wyrick, Superintendent

## INFORMATION ABOUT USD 506

Labette County USD 506 encompasses 500 square miles of Labette County. The district serves over 1,600 students enrolled in a K-12 system, which is housed in five kindergarten through eighth grade elementary schools and one comprehensive high school serving grades nine through twelve. Administrative offices are located in the Curran Administrative Center, Altamont, KS. The district is a member of the Southeast Kansas Education Service Center and of the Southeast Kansas Interlocal #637. Communities served by the district are Altamont, Angola, Bartlett, Dennis, Edna, Valeda, Labette, Mound Valley, and a large portion of the west side of Parsons. Cities in the immediate area include Parsons, Coffeyville, and Independence. Larger cities nearby include Pittsburg, KS, Joplin, MO, and Bartlesville, OK. Agriculture and agriculture related business are primary sources of income in the district. The communities in the district are served by three area hospitals. Recreation is readily accessible through area golf courses, Big Hill Lake, and Lake Parsons.

The Board of Education consists of seven members. Six of the seven members are elected from their districts, and one member is elected at large. Elections are held in April of odd-numbered years and members serve four-year, staggered terms. The Board sets policies for operating the schools and hires staff to carry out its policies. In addition, the Board gives approval to such matters as personnel contracts, major purchases, annual budgets, and curriculum. Furthermore, the Board acts on recommendations from the Superintendent of Schools, the chief executive officer of the district.

## PURPOSE FOR THE EMPLOYEE HANDBOOK

At USD 506 we have two segments of employees, certified and classified.

One segment is our teachers and professionals who are required to hold a professional certificate issued by the Kansas State Board of Education. This segment of our employees is referred to in this book as **certified employees** which includes teachers, school counselors, principals, assistant principals, nurses, title I and administrative staff. USD 506 has a negotiated agreement with the Labette County Teachers Association. Not all certified employees are included in the negotiated agreement.

Another segment of our employees are all the individuals who are not required to hold a certificate issued by the Kansas State Board of Education. This segment is commonly referred to as **classified employees**. This segment includes secretaries, bus drivers, custodians, paraeducators, library aides, recess and lunchroom supervisors, food service, maintenance, bus barn personnel and others.

This Handbook is designed to acquaint you with USD 506 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 contract, the contract is the overriding document on any policy in this Handbook.

## Section: Introduction

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Following the policies described in this Handbook is considered a condition of continuous employment. However, nothing in this Handbook alters an employee's "at-will" status for any employee not covered by the negotiated agreement. The contents of this Handbook shall not constitute nor be construed as a promise of employment or as a contract between USD 506 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.

The policies in this handbook are to be considered guidelines. USD 506, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this handbook at any time without prior notice. If any provision in this employee handbook be found to be unenforceable or invalid, it will invalidate only that portion of the book and not the entire employee handbook.

USD 506's policies, benefits, and rules as explained in this handbook may change from time to time as education, employment legislation and economic conditions dictate. You will be given updates or replacement pages if and when provisions are changed.

You are responsible for reading, understanding, and complying with the provisions of this Handbook. Our objective is to provide you with a work environment that is constructive to both personal and professional growth.

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 particular guideline in this Handbook, please contact the district office.



## **EMPLOYMENT POLICIES**

### **DISCRIMINATION FREE WORKPLACE:**

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

We are 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 without regard to any characteristic protected by 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 unlawful employee harassment based on race, color religion, gender, sexual orientation, national origin, age, genetic information, disability, veteran status, or any other protected status. Improper interference with the ability of any employee to perform his/her job duties will not be tolerated.

USD 506 believes in and practices equal opportunity. A member of the District, generally the District 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 the concept of equal opportunity and diversity and assisting our 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 management.

Complaints of discrimination will be resolved using the district's discrimination complaint procedure.

### **I-9 IMMIGRATION REFORM POLICY**

USD 506 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 (INS Form I-9). If an individual cannot verify his/her right to work within three days of hire, USD 506 must terminate his/her employment.

## **HARASSMENT-FREE WORKPLACE POLICY**

USD 506's policy is to provide a work environment that is free from harassment. Therefore USD 506 will not tolerate harassment based on age, race, gender, color, religion, national origin, disability, marital status, covered veteran status, sexual orientation, status with respect to public assistance, and other characteristics protected under state, federal, or local law. Such conduct is prohibited in any form at the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to all USD 506 employees, parents, students, guests, vendors, and persons doing business with USD 506.

Sexual harassment, one type of prohibited harassment, warrants special mention. Sexual harassment has been defined according to USD 506 guidelines as:

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

- 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;
- 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 USD 506 Superintendent.
- Report any additional incidents or retaliation that may occur to one of the above resources.

Any reported incident will be investigated immediately and thoroughly. Complaints and actions taken to resolve complaints will be handled as confidentially as possible, given USD 506's obligation to investigate and act upon reports of such harassment.

Appropriate actions will be taken by USD 506 to stop and remedy any and all such conduct, including interim measures during a period of investigation.

Retaliation of any kind or discriminating 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 506 expects all employees to create an atmosphere free of discrimination and respect the rights of their co-workers.

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, promptly report the incident to a supervisor. If an employee believes it inappropriate to discuss the matter with their supervisor, it should be directly reported to human resources. Once made aware of your complaint, USD 506 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 506 determines that an employee acted in a discriminatory or harassing behavior, appropriate disciplinary action will be taken against the offending employee.

USD 506 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 506 determines that an employee intentionally provided false information regarding the complaint, disciplinary action may be taken against the one who gave the false information.

## **AMERICANS WITH DISABILITES POLICY**

It is USD 506's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. USD 506 will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job. An individual who can be reasonably accommodated for a job, without undue hardship to USD 506, will be given the same consideration for that position as any other applicant.

It is the policy of the District to comply with all Federal and state laws concerning the employment of persons with disabilities. USD 506 management is responsible for implementing this policy, including resolution of reasonable accommodation, safety and undue hardship issues.

## **VIOLENCE-FREE WORKPLACE**

It is USD 506's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Therefore, USD 506 will not tolerate violence or threats of violence of any form in the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to USD 506 employees, parents, students guests, vendors, and persons doing business with USD 506.

It will be a violation of this policy for any individual to engage in any conduct, verbal or physical, which intimidates, endangers, or creates 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 work place 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 506 will promptly and thoroughly 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 506 will take action appropriate for the circumstances. Where appropriate and/or necessary, USD 506 will also take whatever legal actions are available and necessary to stop the conduct and protect USD 506 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. The safe school hotline number is 1-877-626-8203.

## **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.

### Employee Conduct

As a condition of continued employment in the district, all employees shall abide by the terms of this policy. Employees shall not unlawfully manufacture, distribute, dispense, possess or use illicit drugs, controlled substances, or alcoholic beverages on district property or at any school activity. Compliance with the terms of this policy is mandatory. Employees who are found violating the terms of this policy will be reported to the appropriate law enforcement officers.

Additionally, an employee who violates the terms of this policy may be subject to any or all of the following sanctions:

1. Short term suspension with pay;
2. Short term suspension without pay;
3. Long term suspension without pay;
4. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program.
5. Termination or dismissal from employment.

Prior to applying sanctions under this policy, employees will be afforded due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action which is provided for in district policies or the negotiated agreement. This policy is not intended to change any right, duty or responsibilities in the current negotiated agreement.

If it is agreed that an employee shall enter into and complete a drug education or rehabilitation program, the cost of such program will be borne by the employee. Drug and alcohol counseling and rehabilitation programs are available for employees of the district. A list of available programs along with names and addresses of contact persons for the program is on file with the board clerk.

Employees are responsible for contacting the directors of the programs to determine the cost and length of the program, and for enrolling in the programs.

## **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.

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 506 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 506 will follow all Federal and State regulations concerning drug and alcohol testing.

## **SAFETY**

### **SAFETY RULES AND ACCIDENT REPORTING**

It is USD 506'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 supervisors 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.

### **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.

- The employee and supervisor are responsible for completing the appropriate forms, which must be returned immediately to the District Office, USD 506, PO Box 189, Altamont, KS 67330. 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.
- 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 worker's compensation shall be required to provide the District Office with a written doctor's release. In addition, should the employee be released by a doctor to return to work and fail to do so, all benefits under sick leave shall end and those benefits under workers' compensation shall be restricted as provided by current statute.

### **WORKERS' COMPENSATION**

Employees of USD 506 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.

- All employees should be aware that certain behaviors involved in an injury or illness may exclude the individual for 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

The Board of Education of USD 506 utilizes a specific provider for its occupational health needs. Please refer to the employee bulletin board in your building for the latest information on this provider. In order to be eligible for workers compensation benefits, any employee incurring a work related injury **must** utilize the district selected provider as the first medical contact. All incidents must be reported to your direct supervisor immediately and necessary forms completed.

### **USD 506 RETURN TO WORK PROCEDURE**

USD 506 has elected to adopt a return-to-work policy with the intent to utilize eligible injured workers in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Superintendent of Schools will be responsible for coordinating the return-to-work program. The designated alternate/backup coordinator will be the Department Head or Building Supervisors.

The attached return-to-work program should be followed when a worker sustains a work-related injury or illness.

1. All injuries will be reported immediately to the worker's direct supervisor who will notify the designated coordinator. Injuries will be filed via the Internet, phone or fax to "the insurance provider" within 24 hours.
2. The injured worker will seek medical attention from the designated medical provider, Labette Health. In case of an emergency, the injured worker is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. Labette County USD 506 workman's compensation insurance may not pay for medical expenses incurred by the injured worker, if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.
3. The injured worker should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.
4. The designated coordinator and/or business manager is responsible for maintaining regular contact with the injured worker and the medical provider, and obtaining recovery status information and work restriction updates.
5. The designated coordinator will maintain a list of modified duty tasks for modified work or reassign to appropriate position.
6. During the modified duty period, USD 506 will provide to Accident Fund records of wages paid to the injured worker, if applicable. If the injured worker is receiving full wages during the modified duty period, USD 506 will provide Accident Fund a statement to that effect; no ongoing provision of pay records is then required.
7. Modified duty will be allowed as long as it is realistic for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement.
8. The designated coordinator will monitor and document the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. The supervisor, injured worker and relevant staff to address increasing work duties and overall performance will review them jointly. This will be completed at least once a month or as needed.

## **HEALTH EXAMINATIONS and Tb TESTS**

Any classified employees who come into direct contact with students must have a certificate of health form and Tb test on file in the district office prior to commencing

their employment at his/her own expense. The district will accept physicals and TB test that were issued no more than 12 months prior to employment date.

All classified staff in the area of food service must have a certification of health and TB test form on file in the district office **prior** to commencing their employment.

### **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).

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. Your building principal will give instructions on the proper procedures for these drills. You are expected to participate and fully cooperate in these drills.

### **SCHOOL EMERGENCY PROCEDURES**

USD 506 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 506 buildings is every employee's responsibility. When you leave USD 506's premises make sure that all entrances are properly locked and secured.

### **SMOKING AND TOBACCO PRODUCTS**

The policy of USD 506 is that smoking and the use of tobacco products are prohibited on any district owned or leased building or property and in district vehicles.

## **DRIVING WHILE ON DISTRICT BUSINESS**

Driver inattention is a factor in a majority of motor vehicle accidents. We are not only concerned about your welfare as a USD 506 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 506 business the following applies:

### **Transportation of Students**

USD 506 classified employees occasionally transport students or other district personnel. It is important that they take this role responsibly and will focus only on the task of driving to the location and not allow distractions to interfere.

### **Cellular Phone**

Cell phone use while driving is a common, often harmful, distraction. We are concerned about your safety as well as the safety of others. For this reason, the use of cell phones while driving is strongly discouraged. Do not accept or place calls unless it is an emergency, meaning the call cannot wait until you safely pull off the road or arrive at your destination. If you must use your cell phone while driving, please use good judgment: keep the call short, use a hands-free device, get to know your phone and its features, and suspend conversations during hazardous driving conditions (rain, snow, ice, fog, glare, heavy traffic, etc.). It is the responsibility of the employee to know and obey the laws regarding cell phone use.

### **Obey the Law**

USD 506 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 506 or in a USD 506 vehicle.

### **Other Safe Driving Precautions:**

- Use conservative judgment when road conditions are poor. Limit or avoid driving 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.
- Laptop computers should never be used at any time while driving.
- If using a vehicle not your own (rental or otherwise), be sure to properly adjust the mirrors and familiarize yourself with the vehicle's controls before operating.

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.

## **PAYROLL INFORMATION AND PERSONNEL FILES**

### **DEFINITION OF CLASSIFIED POSITIONS**

- **FULL-TIME POSITION:** A full-time classified employee works eight (8) hours per day, forty (40) hours per week, two thousand eighty (2080) hours per year. A full-time position constitutes 1 Full Time Equivalency (FTE).
- **PART-TIME POSITION:** A part-time classified employee works less than a full day but throughout the calendar year (except for vacation time). A part-time position constitutes less than 1 FTE. The FTE is calculated base on the number of hours scheduled.
- **PART-YEAR POSITION:** A part-year classified employee works primarily during the school year.
- **TEMPORARY POSITION:** A temporary classified employee works only during the summer or on short term special assignments during the school year. Such a position may be either full or part-time.

Certified employees positions are defined in the negotiated contract.

### **CHANGE IN STATUS**

Notification to the USD 506 District Office should be made within ten (10) 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.

It is also important to keep any emergency contact information held by the district office up-to-date.

### **EMPLOYEE BREAKS**

The District believes employees have the ability to balance their personal need for a break from the work day and work demands. Therefore, it sees no reason for a strict work break policy.

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

Any employee who abuses the length or amount of work breaks will receive disciplinary action up to and including termination.

## **EMPLOYMENT 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. A written notice two weeks in advance is expected if an employee chooses to voluntarily terminate the employment relationship. Certified employees are also "at-will" employees unless the negotiated contract alters that status.

## **EVALUATIONS**

The district shall maintain a formal performance evaluation plan for all classified employees. Evaluation criteria shall be based on individual job descriptions.

USD 506 classified employees may be evaluated twice per year in their first year of employment. Subsequent evaluations will take place once a year. A classified employee, his/her supervisor or the USD 506 Board of Education may request an evaluation of a classified employee at any time.

## **JOB DESCRIPTIONS**

A comprehensive job description for all positions shall be developed by the district administration. Job descriptions are intended to be used during recruitment, evaluation and accommodation.

## **OVERTIME**

Hourly classified employees who work more than forty (40) hours per week will be compensated for overtime. The workweek is defined as Monday 12 am through Sunday 11:59 pm. All overtime hours shall have prior written approval of the supervisor and central office administration. All overtime will be paid at the rate of one and a half (1 1/2) times regular pay as required by current statute.

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.

## **PAY DAY**

USD506 utilizes a direct deposit method for paying district employees to the financial institution of their choice. Pay will be direct deposited on the 15th of each month. If the 15th falls on a weekend or holiday, payroll will be deposited on the day preceding the weekend or holiday.

Occasionally there is a banking holiday observed on a Monday that would necessitate pay being deposited into the employee's account on Tuesday. Pay information stubs will be distributed to each employee as deposits are made in your account.

## **TIME SHEETS**

Time sheets are required for all hourly positions and Rule 10 coaches for employees of USD 506. Time sheets must be signed by the employee and his/her immediate supervisor. Time sheets must be received in the district office by 10:00 a.m. on the 2nd of each month. Timely submission is required for being paid.

## **ASSIGNMENT AND TRANSFERS**

Classified personnel assignments shall be made by the superintendent after consideration of the personnel and the position involved.

Any classified employee may be transferred at any time to a new location or position at the discretion of the superintendent.

## **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.

USD506 does not guarantee all positions are posted prior to being filled.

## **EMPLOYMENT TERMINATION and RESIGNATION**

USD 506 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 506 reserves the right to terminate your employment for any reason (which does not violate any applicable law) with or without prior notice.

Should termination of employment become necessary, it shall be recommended by the superintendent to the board.

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are a few examples of some of the most common circumstances under which employment is terminated:

- Resignation – voluntary employment termination initiated by a classified employee.
- Termination – involuntary employment termination initiated by USD 506.

- Layoff – involuntary employment termination initiated by USD 506 for non-disciplinary reasons.

Classified employees who resign employment should give two weeks advance written notice of intended termination including anticipated date of departure. On or before their final working day, employees must return to their supervisor all district property.

In the event of termination, all unused accrued Vacation Time will be paid. Unused sick time is not paid upon termination unless the classified employee has been employed with the District for 10 or more years.

Any outstanding financial obligations owed to USD 506 will also be deducted from your final check given your prior written permission.

When necessary, a meeting between you and your immediate supervisor will take place prior to your last day of work. District possessions must be returned at this time. A health insurance extension of benefits under COBRA regulations is available and is offered via mail to eligible employees.

USD 506 follows federal and state regulations when issuing a final paycheck. 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.

If you leave USD 506 in good standing, you may be considered for re-employment.

## **CODE OF CONDUCT**

### **CHILD ABUSE**

The Kansas Child Protection Act (K.S.A. 38-716-724) requires any district employee who suspects that a child's physical or mental health or welfare is being adversely affected by physical, psychological or sexual abuse will immediately report this suspicion to the Social and Rehabilitation Services (Child Abuse Hotline 1-888-369-4777) or to the local law enforcement agency. It is also recommended that the building principal be notified after the report is submitted.

District employees will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the employee to prove that the child has been abused or neglected.

### **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. 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, including termination.

### **CONFLICT OF INTEREST**

All employees have a duty to further the aims and goals of USD 506, 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 be in conflict with those of USD 506.

### **DRESS CODE**

Your pride in both yourself and as a representative of our school district is reflected in your appearance and image you create. We feel our 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 at all times.

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 advise and 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.

## **GIFTS**

Classified employees are prohibited from receiving gifts of value from vendors, salespersons or other such representatives. Token gifts, such as coffee mug, occasional meal, pens, etc. are normally less than \$25 in value, are acceptable.

## **PERSONAL CONDUCT AND DISCIPLINARY ACTION POLICY**

The work rules and standards of conduct for USD 506 are important, and the District takes them seriously. All employees are urged to become familiar with these rules and standards and are expected to follow the rules and standards faithfully in doing their own jobs and conducting USD 506's business. 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 warnings, suspension, or termination. All of these actions may not be followed in some instances. USD 506 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. 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
- Discourtesy to a student, parent, co-worker, volunteer, or the general public.
- Using abusive or profane language
- Poor job performance

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 District 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 506 representative or on any USD 506 records including the employment application, benefit forms, time cards, expense reimbursement forms, etc.
- Fighting or threatening a co-worker, student or vendor.
- Possession of firearms or weapons on District property.
- Failure of a drug or alcohol test.
- Failure to call in or report to work for three or more consecutive days, or failure to return to work after an authorized leave

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

USD 506 reserves the right to terminate an employee at any time for any lawful reason with or without prior disciplinary counseling or notice. Nothing in this Handbook or any other USD 506 document is intended to modify this “at-will” employment, promise progressive discipline or disciplinary counseling, or promise notice in circumstances where USD 506 considers immediate termination or discipline to be appropriate. Certified employees may have additional rights provided by the Negotiated Agreement.

## **SUSPENSION**

Classified employees may be suspended for cause with pay by the superintendent or designee until the next meeting of the board of education, either regular or special. Causes for suspension and/or termination shall include, but not be limited to, the following:

- Providing false statement or information in the employment application
- Unexcused and/or extended absence
- Failure to improve work performance after written notification
- Supportive evidence and/or admission of dishonesty or improper job conduct
- Violation of the Drug Free Work Place Policy
- Deliberate damage or destruction of district property
- Continued carelessness or recklessness
- Disregard for the safety of fellow employees or students
- Striking, fighting, or otherwise attempting to injure another employee
- Interfering with other employees in the discharge of their duties
- Insubordination
- Sexual harassment of students/staff

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



## **SPECIFIC DEPARTMENT INFORMATION**

### **FOOD SERVICE**

As representatives of USD 506 Food Service Staff, we strive to give students nutritious meals at a reasonable cost, while meeting state and federal regulations. We also strive to make a good impression on our students and community by working cooperatively and maintaining a good attitude.

New employees are required to attend a Food Safety Basics class within 6 months of employment. All Food Service employees must attend Food Safety Basics every 5 years.

Good grooming, personal hygiene, safety and sanitation practices are required. Food Service staff is expected to wear hairnets or hair restraints approved by the Health Department & KSDE. No jewelry or nail polish is allowed. Fingernails must be clean and short. Closed toe, non-skid shoes are required.

The dress code for USD 506 is general in nature and is listed in another section of this handbook. If you have any questions concerning appropriate behavior and appearance, please contact your supervisor.

Lunch breaks for Food Service employees has to be organized a little differently from other employees because providing the students lunch is a very busy time. The Food Service supervisor is responsible for scheduling appropriate breaks so as all employees have an opportunity to each lunch. The lunch served to the students is available to all Food Service employees at no charge. If this lunch breaks lands during the work shift and is less than 30 minutes long it is paid time. If the meal is provided after the employee's shift is finished it is unpaid time.

### **BUS DRIVERS**

School buses owned by USD #506 Labette County shall be used only for activities of the public schools for transportation to and from school and for authorized school activity trips.

Employment will be subject to state guidelines.

Every year, bus drivers must present to the Board of Education a completed physical examination form signed by the licensed physician chosen by USD #506 to complete driver physicals. The Board of Education will pay for this examination.

All bus drivers will be expected to attend the annual safety meeting, regularly scheduled safety meetings, or called meetings by the Transportation Director. Those drivers unable to attend the regularly scheduled meeting will be required to review the video of said meeting and complete a series of questions pertaining to the safety information shared at that meeting.

Bus drivers will adhere to all safety measures outlined by the Kansas Division of Motor Vehicles. Driver handbooks can be downloaded at [www.ksrevenue.org/pdf/dlhb.pdf](http://www.ksrevenue.org/pdf/dlhb.pdf) or are available in the transportation office.

Bus drivers on regular routes and activity trips shall stop at all railroad crossings.

The following credentials are required in order to drive a school bus:

1. Must hold a valid Kansas CDL with S and P endorsements.
2. Must never have had any driver's license revoked.
3. Must have at least 12 hours of training with a qualified driver trainer.
4. Must have 20 hours driving experience with students while under the supervision of an approved driver trainer.
5. Must have yearly First Aid and CPR training.
6. Must have current Defensive Driver training.
7. Must attend monthly safety meetings (a minimum of 10 annually).
8. Must complete all forms and produce all information necessary for payroll purposes.
9. Must complete all reports neatly and on time.
10. Must perform pre and post trip inspections.
11. Employment is governed by state regulations regarding criminal or legal issues.

While working, the law says you must not:

1. Go on duty when under the influence of any narcotic, illegal drug, alcoholic beverage or liquor, regardless of the latter's alcoholic content, not shall any driver consume any narcotic, illegal drug, alcoholic beverage or liquor while on duty.
2. Have in your possession any narcotic, illegal drug or alcoholic beverage or liquor.
3. Drive any school bus more than ten (10) consecutive hours or more than an aggregate of ten (10) hours spread over a period of sixteen (16) consecutive hours.
4. Drive without your seatbelt locked.
5. Permit a bus, when traveling, to coast with the transmission in neutral or the clutch disengaged. The doors of the bus shall be closed before such bus is put into motion and shall remain closed when traveling, except that the service door may be opened upon the approach and passing over of railroad tracks.
6. Fill a fuel tank while the engine is running or when students are inside the bus. Fuel shall not be carried or transported except in the regularly provided fuel tank of the bus.
7. Put a bus in motion until all students are seated. When unloading students, the bus driver shall not allow students to leave their seats until the bus comes to a complete stop.
8. Allow anyone, other than school personnel and students regularly assigned thereto, to ride the bus unless the director or his authorized representative has issued a permit of a type and form approved by the Director of Transportation.
9. Require any student to leave the bus before each student has reached his or her destination.
10. Leave the bus while the engine is running.

11. Make any repairs, except as may be necessary while on the road, unless he/she is the mechanic charged with the care and maintenance of the bus.
12. Forget that the school bus shall be inspected by the driver daily, before use, to ascertain this it is in safe condition, equipped as required by all provisions of law, and that all equipment is in good working order. The driver shall test for the proper operation of the parking, service, and emergency braking systems, and shall open and close all doors. No student shall be transported until any defects discovered have been corrected.



## **BENEFIT INFORMATION**

### **FRINGE BENEFITS/AND OPTIONS**

USD 506 Labette County 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.

If you are an employee classified as at least 0.4 FTE, then 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.

**Major Medical and Prescription** – Our major medical and prescription plan is designed using a preferred provider network with co-pays, co-insurance, and deductibles. The cost to participate in the major medical and prescription plan is dependent on the amount of hours the individual is scheduled to work. Multiple plan options may be available. USD 506 currently covers a large portion of the employee's individual coverage for full time employees.

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

**Voluntary Vision** – Our vision plan is a voluntary plan paid for by the employees who chose to participate in the plan. The plan is intended to cover exams and basic eye care needs.

**Group 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.

**Group 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 chose to participate

In addition to the items listed above, USD 506 may offer other voluntary benefits.

The design of the insurance benefit programs may change from year to year. USD 506 will continue to look for cost effective insurance benefits to offer each year. For a full description of the insurance benefits offered by USD 506 please refer to the Benefit Guide.

Section 125 - To assist employees with cost savings programs, USD 506 offers the insurance programs 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.

Flexible Medical Spending and Dependent Daycare – In addition to the tax saving on insurance premiums through the Section 125 Plan, USD 506 offers employees the ability to save tax dollars on out of pocket medical spending and on dependent daycare expenses.

Please refer to the Benefit Guide for a description of these plans.

**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 4% of the gross pay as determined by current statute will be made each payroll period, if hired prior to July 1, 2009 and 6% if hired after July 1, 2009. Please refer to the KPERs information that is provided to you for complete information including contact phone numbers.

**RETIREMENT HEALTH BENEFITS**

Upon retirement from USD506, employees and their dependents may continue to participate in the district provided group health care benefits upon written application filed with the district clerk within 30 days following retirement. To qualify for such coverage extension, the individual must have been employed by the district for no less than 10 years. The coverage may cease to be made available upon:

- The retired employee attaining age 65
- The retired employee failing to make required premium payments on a timely basis, or
- The retired employee becoming covered or eligible to be covered under a plan of another employer.

The retired employee is responsible for the cost of the continued health care benefits.

The anniversary date of the district's health insurance group plan is September 1 of each year, and the annual rate is set at this time. To participate in the retiree health insurance group, the retiree shall present to the clerk of the board, payment in the amount of the monthly premium for the coverage by the 10<sup>th</sup> of each month. Personal checks shall be made out to USD 506. The District will forward payment to the insurer. It is the responsibility of the individual to ensure that all payments are made to the district timely. If you have any questions concerning this benefit, please contact the district clerk.

## **TIME AWAY FROM WORK**

### **ATTENDANCE**

All classified employees must notify their immediate supervisor of the reason for an absence from work. 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.

Certified employees use the AESOP program to record any absences from work. Classified employees are to record any absences from work on their time card.

### **HOLIDAYS**

Classified employees shall receive paid holidays in accordance to the following:

Paid holidays for full-year employees are:

Labor Day	Thanksgiving Day	Christmas Eve
Christmas Day	New Year's Day	Memorial Day
	Independence Day	

Paid holidays for partial year employees are:

Labor Day	Thanksgiving Day	Christmas Day
New Year's Day	Memorial Day**	

\*\*Memorial Day is only included as a paid holiday if it is in the scheduled work session.

Cooks, Bus Drivers and Para and anyone on an unpaid leave of absence do not qualify to receive holiday pay.

Employees will receive holiday pay based on their FTE status. Employees who have a 1.0 FTE status will receive 8 hours of holiday pay calculated on their base pay rate. Employees who are scheduled between 0.4 FTE and 1.0 FTE will receive a prorated portion of 8 hours. Employees with less than 0.4 FTE do not qualify to receive holiday pay.

In the event that a holiday lands on a weekend, each building in the District will post the day scheduled for the holiday.

Holiday pay is not considered work hours for the purpose of calculating overtime.

## **JURY DUTY**

Classified employees shall be excused for jury duty with no jeopardy to their employment. Employees shall be reimbursed at their regular pay minus payment received for serving on the jury with mileage and other expenses to be retained by the employee. This benefit is limited to two weeks per year. Days taken for this jury duty leave benefit shall not be deducted from any employee's accumulated leave. Days taken beyond the paid benefit shall either be deducted from available paid leave benefits, or will be unpaid.

Notice of jury duty shall be given to the employee's supervisor immediately upon receipt of the jury duty notification by the employee.

## **SICK LEAVE**

USD 506 recognizes that employees occasionally have the need to be away from work due to illness or injury. Therefore the district provides classified employees with the following sick leave benefit.

Each non-certified employee of U.S.D. 506 who is employed 12 months annually shall be granted twelve (12) days sick leave per year.

Each non-certified employee of U.S.D. 506 who is employed less than 12 months annually shall be granted their FTE portion of 12 days sick leave per year.

Unused portions of sick leave may accumulate such that the maximum number of days available for a single year does not exceed seventy (70) days.

Sick leave shall be defined as illness of the employee, sickness or death in the immediate family. Immediate family shall constitute husband, wife, son, daughter, brothers, sisters, father, mother, father-in-law, mother-in-law, son-in-law, and daughter-in-law.

In the event that an individual fails to complete contract, the sick leave will be prorated over the number of days actually worked.

Sick leave may be used as bereavement leave.

### **Sick Leave Pool**

A sick leave pool provides employees who have used up all their accumulated sick leave an opportunity to request additional days of paid leave when they are faced with major illness or injury. The pool is not intended for brief absences after sick leave is used up. Sick leave pool procedures follow:

Each employee shall indicate on a form provided by the district and due by August 1, except in the case of new hire, whether or not s/he intends to participate in the sick leave pool. For new hires, the form shall be due within ten (10) days after the first day of duty. The decision of the employee shall stay in effect until reversed in writing. The board clerk shall maintain a roster of those persons participating in the pool.

Employees who participate in the sick leave pool will contribute one (1) day to the pool each year. Days contributed by a member become a permanent part of the pool and will not be refunded to the employee.

Only those employees participating in the pool will be eligible to apply for days from the pool.

Before using pool days, the employee must exhaust their accumulated sick leave.

Sick leave pool days may be used for the employee or his/her immediate family as defined in this policy.

An employee is only eligible to collect as many days as s/he has accumulated in sick leave as of August 1.

Any eligible person who desires days from the pool must make written application to a sick leave screening board, which shall consist of the superintendent, assistant superintendent, a building principal, and the director of transportation and maintenance. The application must include a written statement from the attending physician.

A tie vote shall be considered an approval of the employee's request.

The sick leave pool may not be used to cover participants who are receiving pay from workers compensation.

If on August 1, the total accumulated days in the sick leave pool is more than 200 days; the requirement to contribute an additional day shall be waived for all members who have participated for at least three (3) consecutive years. The requirement to contribute will be reinstated when the total accumulation falls below 200 days on August 1.

If the pool is completely depleted, members may voluntarily contribute additional days to replenish the pool.

### **UNPAID LEAVE OF ABSENCE**

The board may grant a period of unpaid leave as determined by the board. The period of leave and reason for unpaid leave shall be determined by the board. The board shall not be required to pay any salary or benefits during periods of unpaid leave except as may be required by law.

If the employee leaves the employment of the district for any reason, no payment will be made for unused sick leave.

### **FAMILY AND MEDICAL LEAVE**

Eligible employees of USD 506 are allowed to take unpaid Family and/or Medical Leave under federal law, the Family and Medical Leave Act (FMLA).

**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.** As stated above, eligible employees are generally eligible for *up to* a total of 12 weeks of protected leave, except for servicemember family leave, within a rolling twelve-month period, measured backward from the date an employee uses any Federal leave for any combination of reasons listed below. Where leave is taken to care for a covered servicemember 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 506

### **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 in order 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.

**Servicemember Family Leave:** If, as an eligible employee, you need family leave to care for a covered servicemember 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. Servicemember 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 506 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 from Human Resources. Second or third certifications from health care providers and periodic re-certification at USD 506'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 506 does not require 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.

**Non-Continuous 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 calendar 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 of 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 servicemember 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 506 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 Human Resources 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 506 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 506 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.

**Poster.** A copy of the FMLA poster is included at the end of this handbook

## **VACATIONS**

For each fiscal school year (July 1 through June 30) of continuous service, full-time (2080 hr.) classified employees shall receive during the first year of employment one week of vacation with pay and two weeks (10 days) vacation with pay each year thereafter. Vacation time shall be arranged with the appropriate supervisor and the superintendent and must be completed within the contract year unless written approval is granted by the superintendent to do otherwise.

## **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 506 respects your religious beliefs and will consider unpaid leave to employees who, for religious reasons, must be away from the office 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.



## **GENERAL POLICIES**

### **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.

### **MEMORIALS**

The board may contribute district funds to a school library designated by the board to honor the passing of an employee or an employee's relative. Books purchased with these funds shall be labeled to indicate the person whose memory they honor. If the person being honored is not a former USD 506 staff member, memorials may be made for the following: father, mother, spouse, son, daughter of any current USD 506 employee.

### **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.

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, personal digital assistants (PDAs), laptop computers 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 where 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. Laptop computers and PDAs brought to school will be restricted to classroom or instructional-related activities only. 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, MySpace and Twitter) 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.

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 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.

The superintendent shall ensure these rules are available to all employees.

## **PURCHASING PROCEDURES**

All purchases will be made using the district Purchase Order which is printed in the Business Office. 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.

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 pro payments. 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

and Transfer of Funds 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.

## **SOCIAL MEDIA**

Our District is committed to maintaining a good relationship with employees and with the outside world. It directly benefits the District as a whole as well as the employees and the community if USD 506 maintains a positive reputation and excellent image in the public eye. The way the public views USD 506 is vital to promoting our schools, gaining new students, retaining first-class employees and recruiting new employees.

USD 506 recognizes that many employees have their own individual social networking accounts and use them on their own time. We ask those individuals 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 506 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 at the district.

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 506 employees, or students that could be construed as inappropriate.
- Allow others to post inappropriate or sensitive information regarding USD 506 anywhere on your profile

While USD 506 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 506'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 and your co-workers.

Disregard of this policy, with or without intent may result in disciplinary action up to and including termination.

### **SOLICITATIONS**

Solicitations of staff members by any vendor, student, other school district employee or patron of items relating directly to the expenditure of school district funds during work time are prohibited unless permission is granted by the employee's immediate supervisor. The manner of solicitation may be restricted by the immediate supervisor.

### **TECHNOLOGY - USD 506 ACCEPTABLE USE POLICY**

The purpose of the Labette County USD 506 computer network is to promote the exchange of information to further education and is consistent with the mission of USD 506. It is the policy of the Labette County USD 506 school board to maintain an environment that promotes ethical and responsible conduct in all online network activities by staff and students. It shall be a violation of this policy for any employee or student to engage in any activity that does not conform to the established purpose and general rules and policies of Labette County USD 506.

The use of the USD 506 computer network is a privilege, not a right, and inappropriate use may result in cancellation of that privilege and school disciplinary action and/or appropriate legal action shall/may be taken.

#### **Acceptable/Unacceptable Use:**

Network/Internet/Intranet/Email

1. The Labette County USD 506 computer network is in support of education practices and research consistent with the purposes of Labette County USD 506 and is not for private or commercial business use, political or religious purposes.
2. Network accounts are to be used only by the authorized owner of the account for the authorized purpose. All network activity is subject to the district's review at any time, there is no right of privacy in e-mail/internet/network use by any student or staff member.
3. All internet connections will be filtered using the filtering solution established by USD 506 per CIPA requirements. Attempts by students or staff to circumvent the filtering system may result in loss of network/internet/intranet privileges. Any use of the network for illegal activity is prohibited.
4. Use of the network to access obscene, pornographic, or dangerous material, or any material not congruent with the mission of USD 506 is prohibited.
5. Sending material likely to be offensive or objectionable to recipients is prohibited.
6. Using programs that harass other network users or infiltrate a computing system and/or damage the software is prohibited.
7. Users will make efficient use of network resources to minimize interference with others. All network connections must have prior approval of the Technology Facilitator before being established. All network connections are subject to being disconnected or removed if used inappropriately or if it is causing a disruption of network services.

8. Any use of the network that accesses outside resources must conform to the USD 506 "AUP".
9. Subscriptions or access to Listservs, bulletin boards, chat rooms, and on-line services must be pre-approved by the district and conform to the USD 506 "AUP".

### **Security**

10. Users will respect the rights and property of others and will not improperly access, misappropriate or misuse the files, data, or information of others.
11. Users may not share their account with anyone or leave the account open or unattended.
12. Users will keep all accounts and passwords confidential and not accessible to others.
13. Users are responsible for making back-up copies of critical documents.
14. When using the internet/email extreme caution must always be taken in revealing any information of a personal nature. Information about students will not be provided without the written permission from parent/guardian and requires teacher supervision. *Exception would be use of an individual picture or group picture using first name only and/or using first name only for reference on school web pages.*

### **Software/Hardware**

15. The district technology specialists are to install or approve the installation of any/all software/hardware on district computers and approve all purchases of software/hardware related to the USD 506 computer network. Students and staff are not to install games, applications, or other software on district computers without prior approval of a technology specialist. *Exceptions are the following web browser plugins or applications updates: Adobe Acrobat Reader, QuickTime, RealPlayer, Shockwave, Flash, and updates to already installed software via the "Software Update" control panel.*
16. The illegal installation of copyrighted software or files for use on district computers is prohibited. Staff and students are responsible for meeting copyright laws and responsible for addressing issues concerning plagiarism.
17. Users are responsible for taking precautions to prevent viruses on their own equipment and Labette County USD 506's equipment. Users must notify district technology staff if they have a virus on their computers or suspect they have a virus, users may not disable virus installed software used to prevent viruses or install virus related software.

### **Staff E-Mail**

18. E-mail is provided for the purpose of exchanging information consistent with the mission of Labette County USD 506. All e-mail must conform to the USD 506 "AUP".
19. E-mail messages are subject to the district's review at any time, there is no right of privacy in e-mail use by any student or staff member.

20. Unnecessary email should be deleted regularly from your e-mail directory to conserve file space on the email server.

**Policy Administration:** Interpretation, application, and modification of this Acceptable Use Policy are within the sole discretion of Labette County USD 506. Any questions or issues regarding this policy should be directed to Labette County USD 506 administration. USD 506 may immediately implement any policy deemed necessary by the administration in regards to the USD 506 AUP.

**Property Rights:** The computers, computer network, and all the files contained therein are the property of USD 506. The district has the right to specify who uses its equipment and the information contained therein, under what circumstances, and to what purpose. Equipment purchased by the district belongs solely to the district and neither employees, volunteers, or students in the district have ownership rights to any equipment loaned to them by the district.

**Data Security:** The district assumes no responsibility or liability if documents stored on district equipment are misused, inappropriate, damaged, or lost.

**False Entry/Alteration:** No student, volunteer, or district employee shall make any false entry or alteration of any document, either paper or electronic, used in connection with the operation of any school within the district nor shall any student open or alter official school documents or private documents, either paper or electronic.

**Cyberbullying:** Cyberbullying will also not be tolerated. Cyberbullying is when children or teens bully each other using the internet, cell phones, or other technology. This can include but is not limited to: sending mean text, e-mail, or instant messages; posting inappropriate pictures or messages about others in blogs or on web sites; using someone else's user name to spread rumors or lies about someone via the internet or school network.

**Enforcement:** The district shall uphold laws pertaining to the use of technological equipment and the information contained on them and/or generated by its use. Anyone found to be violating such laws shall/may be subject to suit for civil damages as well as prosecuted by the district to the full extent of the law.

**Supervision:** All computer/internet access by students will be monitored/supervised by USD 506 teachers and staff. *Unsupervised computer/internet access by students is not allowed.*

**Consequences of Violation of Technology Policies:** All of the policies and procedures for acceptable use of computers and networks are intended to make educational technology more useful to students and teachers. Our intention is to minimize unacceptable use and maximize the successful use of technology in education. Use of technology for internet access, e-mail, and other network uses is a privilege, not a right. Violations of the policies and procedures of USD 506 concerning use of technology in our schools will result in disciplinary action.

Three levels of punishment may be enforced by the administration. While the levels may be implemented in order, USD 506 reserves the right to select any step depending on the facts and the severity of the violation.

Level 1: Warning:

Student who abuses the Acceptable Use Policy would lose computer privilege/internet access until a parent conference is held. Any additional loss of privileges or punishments will be determined by the administration.

Level 2: Pattern of abuse, repeated abuse, or flagrant violations:

Student who engages in serious or persistent misbehavior by violating the district's Acceptable Use Policy may be removed from any computer/internet privileges for the remainder of the semester, school year, remaining school years, and may be recommended for suspension. Any additional loss of privileges or punishments will be determined by the administration.

Level 3: Suspendable/Expellable offense:

Student could be suspended/expelled from school if he/she engages in conduct on the computer/internet that is a serious violation of the Acceptable Use Policy. Any student suspended/expelled for misuse of technology may also lose computer/internet privileges for the remaining school year or school years. Any additional loss of privileges or punishments will be determined by the administration.

A signed USD 506 Acceptable Use Policy permission form for all students and staff will be retained on file for the current school year and will be renewed each school year.

## **WORKSHOPS**

Pre-approved expenses for all district required workshop sessions will be paid by the district.



**EMPLOYEE RIGHTS AND RESPONSIBILITIES  
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

**Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

**Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**Benefits and Protections**

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

**Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

**Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

