

# **Classified Staff Handbook**

**Unified School District 489  
Hays, Kansas**

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**updated October, 2017**

## INTRODUCTION

The Hays School District Classified Staff Handbook has been prepared to assist you in understanding policies, rules, guidelines, and benefits which apply to classified employees in the Hays School District.

The material is presented as a matter of information only, and the contents should not be interpreted as a contract between the Hays School District and any of its employees. Please read the Classified Handbook carefully and keep it available for future reference. One of your first responsibilities as an employee is to become familiar with the contents. Questions should be addressed to your immediate supervisor. If additional information is desired, please contact the office of the Executive Director of Finance and Support Services at the Rockwell Administration Center.

### Notice of Non-Discrimination

*Hays USD #489 does not discriminate on the basis of race, color, national origin, sex, age, disability or religion in admission or access to, or treatment or employment in, its programs and activities. If you have questions regarding the above, please contact the Office of the Superintendent of Schools, 323 West 12<sup>th</sup> Street, Hays, Kansas 67601 (785) 623-2400.*

### Disclaimer

This handbook is derived from USD 489 Board of Education policy. Any policy not listed in this handbook, but appearing in board of education policy, is still applicable.

In the event of a conflict between the classified handbook and a ratified memorandum of agreement with a bargaining unit, the memorandum of agreement will prevail for members of the bargaining unit.

**All Classified Staff are Employees At-Will. Nothing in the handbook, either stated or implies, is meant to imply any contractual relationship of any kind. The employment is at-will.**

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## **Equal Opportunity Employer**

The district is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, age, disability, or religion in admission or access to or treatment or employment in its programs and activities. If you have questions regarding the above, please contact the Title IX Coordinator or the Section 504 Coordinator in the Office of the Superintendent of Schools, 323 West 12<sup>th</sup> Street, Hays, Kansas 67601 Telephone (785) 623-2400.

The board shall hire employees on the basis of ability and the district's needs.

## **Mission Statement**

The mission of USD 489 is to provide a quality learning experience for every child in every classroom every day.

## **Employment Categories**

It is the intent of USD 489 to clarify the definitions of employment classification so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and USD 489.

Each USD 489 classified employee will belong to one of the employment categories listed below:

- **REGULAR FULL-TIME** employees are those who are assigned to work a minimum of thirty (30) hours per week, and twelve (12) months per year. Generally, they are eligible for USD 489's benefit package.
- **MONTHLY** employees are those assigned to work a minimum of thirty (30) hours per week, but less than twelve (12) months per year. Monthly employees are eligible for partial to full benefits sponsored by USD 489, based upon the number of hours they work per week.
- **PART-TIME** employees are those assigned to work less than thirty (30) hours per week. Part-time employees *may* be eligible for partial benefits sponsored by USD 489, based upon the number of hours they work per week.
- **SUBSTITUTE** employees are those hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Substitute employees receive all legally mandated benefits (such as worker's compensation insurance and social security), but are ineligible for all of USD 489's other benefit programs.

None of the above definitions shall be construed as a guarantee of employment for any period of time and all classified employees listed above are employees at will.

## Requirements of Employment

### Physical Health Examination

As a condition to entering employment, new employees are required to have a routine physical examination before they will be allowed to work. The employee must present a district-approved form to the Human Resource Department that states *“that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established. If at any time there is a reasonable cause to believe that any employee is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health.”* (K.S.A. 72-5213). The expense of obtaining the initial certificate of health will be the responsibility of the employee. During national shortages of tuberculin, employees must complete the Tuberculosis Symptom Screening Questionnaire Deferral Form or get a Chest X-Ray to out rule disease. The form must be witnessed and overlooked by a health care professional, and once the shortage has been resolved the employee *must* get a Tuberculosis Skin Test if they have not already completed a chest x-ray.

### Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with USD 489 within the past three years, or if their previous I-9 is no longer retained or valid. This process must be completed prior to beginning work for the district.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the HR/Payroll department.

### Criminal Background Check

USD 489 requires all candidates selected for employment to submit to a Kansas Bureau of Investigation criminal background check. A discrepancy between the job application and the background check by omission or false statement may be grounds for termination.

The Hays School District is committed to providing a safe environment for students to learn. As part of this effort, in accordance with this policy, the district will require criminal background checks of all employees.

### Definitions

Criminal Background Check Sources –

- Kansas Bureau of Investigation – Online criminal background check
- Kansas Bureau of Investigation – Kansas registered offender search
- Kansas Bureau of Investigation – KASPER
- NSOPW (Dept. of Justice) – National Sex Offender search
- Criminal Background Records – Multi-State online criminal background check

### Employees

The district will conduct criminal background checks in accordance with law on all new employees prior to the employees first day of work.

Any offer of employment is contingent upon the satisfactory outcome of the criminal background check, when required by the district. The district has the sole and absolute discretion to determine whether the outcome is satisfactory.

### Updating Information

The district reserves the right to require any employee to submit to additional criminal background checks at the district's expense or to rerun background checks at any time.

Any employee refusing to submit to a background check may be disciplined or terminated.

### District Notification

As a condition of continuing to work within the district, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify the district if they are charged, convicted, plead guilty to or are otherwise found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five business days after the event.

### Confidentiality

Information received by the district pursuant to a criminal background check is confidential. Except as allowed by law, the district will only use this information for the district's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on district property. The district will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with the district. Any person submitting to a criminal background check may view their background check information received by the district.

### Consequences

The superintendent or designee is directed to exclude from employment or to take action to terminate individuals whose criminal background checks reveal that they have exhibited behavior that is violent or harmful to children or adults, or relates with the prospect job.

### Non-Disclosure

The protection of confidential business information and trade secrets are vital to the interests and success of USD 489. Such confidential information includes, but not limited to the following:

- Computer processes
- Computer programs and codes
- Technological data

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action up to and including termination of employment, and legal action, even if they do not actually benefit from the disclosed information.

### Disability Accommodation

USD 489 is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis, in accordance with ADA and all other applicable federal, state, and local laws.



Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensations as well as in job assignment classifications, organizational structures, position descriptions, lines of progression and seniority lists.

#### Employment Reference Checks

To insure that individuals who join USD 489 are well qualified and have a strong potential to be productive and successful, it is the policy of USD 489 to check the employment references of all applicants.

USD 489 will respond to all reference check inquiries from other employers. Responses to such inquiries may confirm dates of employment, wage rates, position(s) held and objective and factual information concerning job history and work performance.

#### Employment Applications

USD 489 relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment, or if the person has been hired, termination of employment.

#### Personnel Data Changes

It is the responsibility of each employee to promptly notify USD 489 of any changes in personnel data.

Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the payroll office at the Rockwell Administration Center of the changes.

#### Performance Evaluation

Supervisors and employees are required to discuss job performance and goals on a regular basis. All classified employees will be evaluated at least once during each year. A copy of the written performance evaluation will be provided to the evaluated employee and a copy will be placed in the employee's personnel file

## **Benefits and Compensation**

#### Employee Benefits

Eligible employees at USD 489 are provided a wide range of benefits. An eligible employee must work a minimum of thirty (30) hours per week to receive full benefits. A number of programs, such as Social Security, KPERS, Worker's Compensation and Unemployment Insurance, cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The payroll department will enroll you in programs which you are eligible for at the time of enrollment.

The following benefit programs are available to **eligible** employees:

- Cafeteria 125 Plan
- Health Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance
- Long-Term and Short Term Disability
- Medical Leave, Personal Leave, Sick Leave
- 403b, 457, Roth 403b
- Vacation Benefits

Some benefit programs require contributions from the employee and are not fully covered by USD 489.

### Health Insurance

USD 489 will pay the full monthly single premium for each regular, full-time employee who normally works a minimum of thirty (30) hours per week. USD 489 will also pay a portion towards dependent coverage for each eligible regular full-time employee.

The district will also pay a portion of part-time employees single and dependent health insurance premium if they choose to participate.

If the employee does not participate in the wellness incentive program , non-participation will result in a payroll reduction to collect the discounted difference.

### HIPAA

The district shall comply with all applicable Health Insurance Portability and Accountability Act (HIPAA) provisions including those ensuring the confidentiality of protected health information. Appendix D.

### Life Insurance

USD 489 provides a \$10,000 group term life insurance coverage (additional \$10,000 for accidental death) for regular employees who normally work a minimum of twenty (20) hours per week. Employees have the option to purchase additional group term life insurance at their own cost.

### Reasonable Assurance

Kansas Employment Security Law prohibits employees who work for an educational institution from receiving unemployment benefits during regularly scheduled breaks of employment. These scheduled breaks would include scheduled time off for summer, spring and winter. Any employee who has the reasonable assumption of continuing in the same or similar employment following any or all of these scheduled breaks would be ineligible for unemployment benefits. This includes employees of certified, classified and substitute status, so long as the employee is paid directly by the school district and not a contracted service.

## **Leaves**

### Sick Leave

Sick leave is defined as leave for illness or injury of a disabling nature to the employee or to members of the immediate family when it is necessary for the employee to be with them. Immediate family members include the spouse, children of any age, parents of the employee, and grandchildren. The Board of Education may make exception to the definition in unusual circumstances.

### Sick Leave Benefits

Current sick leave benefits shall be two days per year plus one day per *work agreement* month with full salary.

The annual sick leave benefits will be awarded to classified staff members upon completion of one (1) day of the assigned duties of the contract. If the employee is on paid leave status (utilizing vacation or sick leave) they will receive the full annual allotment of leave following their first day worked. If the employee utilizes unpaid leave status, the number of sick leave days will be prorated upon returning to paid status. Should the employee leave employment with the district for any reason prior to August 12, sick leave benefits will be prorated and accrued only for the days worked after July 1.

Classified employees who leave the district with a minimum of five (5) years of service in USD 489 shall receive the following payout:

1. New hires for the 2015-16 school year and subsequent years will be paid for up to 80 days of unused sick leave at a rate of \$45 per day if a minimum of 20 days is accumulated.
2. For classified staff employed with USD 489 prior to the 2015-16 school year and have a sick leave balance of 100 days or more as of June 30, 2015, they will be capped at their June 30, 2015 balance and paid \$65 per day less the first 20 days.
3. For classified staff employed with USD 489 prior to the 2015-16 school year and have a sick leave balance under 100 days, they will be paid \$65 per day for a maximum payment of 80 days.

### Personal Leave

Personal leave is defined as leave for personal matters of the employee. The employee is not required to provide a reason for the requested leave.

### Personal Leave Benefits

Four (4) days per year of the sick leave benefits may be used as personal leave. Unused personal leave days are not accumulative as personal leave, but are accumulative as sick leave. Except in emergency situations, the employee shall give an advance written notice of a minimum of two (2) days to their principal or supervisor. Approval for personal leave is contingent upon the availability of personnel to insure continued efficient operations.

Once all four personal days have been used, the employee may request to use a sick day as a personal day, only receiving this exception twice per year when an event/situation arises. The employee will submit the request, with justification, in writing to the building principal. The approval/denial decision will be made by both the building principal and the Superintendent. Except for unforeseen events, the employee should make the request one week in advance.

### Business Leave

Business leave is defined as leave for legal or court related business only.

### Business Leave Benefits

Two (2) days of business leave with full salary benefits may be granted per year to each regular full-time employee. The leave may be taken in one-half (1/2) day segments. Business leave is not accumulative.

Business leave requests shall be submitted to the building principal or supervisor. The request is to include the specific reason for the leave.

## Serious Illness – Death of Relatives

Serious illness is defined as:

1. Inpatient surgery.
2. Outpatient surgery (under anesthetic) day of surgery only.
3. Heart attack, stroke, cancer in last stages.
4. Potential danger of immediate shutdown of any life-giving system.

Serious illness is NOT:

1. Doctor appointments.
2. Staying home with a sick relative, including someone coming home from the hospital.

Employees will be granted, per incident, up to five (5) days of leave with full salary and up to five (5) days of additional leave with a deduction of 2/3 regular pay in the event of death or serious illness of a close relative (mother, father, spouse, child).

Employees will be granted, per incident, up to three (3) days of leave with full salary and up to three (3) additional days with a deduction of 2/3 regular pay in the event of serious illness or death of other relatives (brother, brother-in-law, sister, sister-in-law, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchild or grandparent).

In the event of serious illness or death of a distant relative (aunt, uncle, cousin, etc.) or friend, employees may use up to three (3) days of their sick leave. Classified employees may take five (5) additional days with a deduction of 2/3 regular pay.

The Board of Education reserves the right to make exceptions to this policy in cases involving unusual circumstances.

## Maternity Leave

As established by the Federal Equal Employment Opportunities Commission, pursuant to Title VII of the Federal Civil Rights Act as amended, the following shall apply:

1. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom, are temporary disabilities and shall be subject to sick leave.
2. The date which the leave commences shall be determined by the employee and her physician. As soon as the leave commencement date is determined, it shall be communicated to the Superintendent.
3. The employee may continue in her position during the pregnancy until, in the opinion of her physician, continued professional activity could endanger her health.
4. Where an employee's effective work performance is impaired due to pregnancy, the leave may begin at a time deemed advisable by her physician and the principal/supervisor.
5. The employee may return from the leave to her position as soon as her physician certifies she is capable of performing all tasks required under her work agreement.
6. In the event of a miscarriage prior to the start of maternity leave, the sick leave provisions of this agreement shall apply.
7. Any written or unwritten policy, rule, or regulation which excludes from employment employees because of pregnancy is hereby declared to be null and void.
8. The leave may be extended, upon request of the employee, for a period of not to exceed the following school year.
9. Employees on extended maternity leave who desire reinstatement shall notify the Superintendent of Schools of their availability for assignment. Such employees shall give such notice on or prior to April 15<sup>th</sup> if they expect to return to full-time employment during the school year next following.
10. Nothing herein shall be interpreted to assure an employee of a position of work assignment identical to that previously held, except that it shall be in the same general classification.

11. In accordance with the provisions contained herein, reassignment shall be made in consultation with the employee concerned, and every effort shall be made to secure a mutually satisfactory assignment.
12. Maternity leave runs concurrently with FMLA.

#### Parental Leave

Parental leave provisions apply to fathers as well as mothers, for natural born, legally adopted children, and foster children. All aspects of sick leave and maternity leave policies apply to mothers and fathers in those items that are appropriate.

#### Family Medical Leave

District employees shall be provided family and medical leave as provided by a plan approved by the Board of Education and required by current federal law and regulation. See Appendix O.

#### Leave Without Pay

Employees may be excused from work with advanced notice for reasons not covered in other leave policies. Full salary will be deducted.

#### Military Leave

Military leaves of absence shall be granted by the Board of Education to an employee in accordance with the existing state and federal statutes.

#### Jury Duty – Court Appearances

Recognizing that jury service is the civic duty of every qualified citizen, the Board of Education agrees to pay full compensation for employees while serving on jury duty.

An employee shall receive full compensation for court attendance as a witness under subpoena or for such employee's required appearance before, and at the direction of, the Kansas Commission on Civil Rights, the United States Equal Employment Opportunity Commission, or any court in which the State of Kansas or a state agency is charged with discrimination in employment. Employees will be allowed to keep any compensation given for jury duty or any other appearances before commissions or courts as previously mentioned.

#### Other Extended Leaves

Classified employees may be granted extended leave subject to approval of the Board of Education for health, maternity, adoption, military service, study and professional activities. Such leaves are subject to the provisions of Board Policy 5.382. Such leaves shall not be in excess of one (1) year and shall be without compensation or pay.

#### Absences

In order to substantiate and verify all leaves, all employees must submit any and all absences by utilizing AESOP. Upon hire, you received a welcome letter from AESOP with your log-in information and pin. For questions regarding AESOP, please contact Human Resources.

#### Vacations

Regular full-time employees who have completed a full year of service as of July 1 each year shall be granted paid vacation according to the following schedule:

<i>Years of Service</i>	<i>Vacation Credit</i>
1 to 3 years	12 days
4 years	13 days
5 years	14 days
6 years	15 days
7 years	16 days
8 years	17 days
9 years	18 days
10 years	19 days
11 years	20 days
12 years	21 days
13 or more years	22 days

The annual vacation leave benefits will be awarded to personnel upon completion of one (1) day of the assigned duties of the contract. If the employee is on paid leave status (utilizing vacation or sick leave) they will receive the full annual allotment of leave following their first day worked. If the employee utilizes unpaid leave status, the number of vacation days will be prorated upon returning to paid status. Should the employee leave employment with the district for any reason prior to August 12, vacation days will be prorated and accrued only for the days worked after July 1.

All vacation awarded in any given year shall be taken prior to August 1 of the next fiscal year.

Exceptions may be made by the Superintendent, Executive Director of Finance and Support Services or Assistant Superintendent in unusual circumstances.

### Holidays

The Board of Education will provide holidays in accordance with employment agreements.

## **Salary Information**

### Salary Payment Provisions

Payday for substitute employees, bus drivers, and selected part-time employees will be the 10<sup>th</sup> of each month. Payday for all other employees is to be the 25<sup>th</sup> of each month. If the 10<sup>th</sup> or 25<sup>th</sup> day of the month is on a weekend or a holiday, payday will be the last day preceding the same.

No pay is deducted for snow days.

Direct deposit of payroll check is required.

Salary payment to monthly classified personnel will be paid in twelve (12) substantially equal installments. Monthly and part-time classified employees may elect to take the “lump sum” balance of salary due for the months beyond the work agreement months at the conclusion of the work agreement when a prior written request has been made by April 1<sup>st</sup>. You will receive your July and August checks in June.

### Establishment of Hourly Wage Rate

Each year the Board of Education will establish any changes in hourly wage rates for classified staff.

1. Hourly rate entry levels for the various classified employee groups will be established and approved by the Board of Education annually. Entry levels will be based on responsibilities.
2. New hires will receive an initial work agreement stating the position, number of days, hours, hourly rate, and benefits (not a guarantee of continued employment).

- Existing classified staff will receive annual notice of changes in hourly rates or other conditions of employment.

### Loyalty Oath

As required by current law, all employees must sign a loyalty oath and file the oath with the clerk before beginning employment and to be eligible for a paycheck.

### Payroll Deduction

When applicable, the district will make payroll deductions for payments to the Kansas Public Employees Retirement System, state income tax withholding, federal income tax withholding, and FICA. Within thirty (30) days after receipt of written authorization from the staff member, the payroll department will deduct from the salary of the employee and make the appropriate remittance to mutually approved carriers for:

- Membership dues to KNEA, SEIU Local 513, and United School Administrators.
- Medical insurance premiums to approved carriers.
- Salary protection insurance premiums to approved carriers.
- Life Insurance premiums to approved carriers.
- Cancer Insurance.
- 403b, 457, Roth 403b.
- Charitable contributions to United Way.
- Charitable contribution to Foundation for Educational Excellence "Project 489".

The district will utilize tax sheltered annuity programs for payroll deductions of all companies approved by our third party administrator and licensed by the state insurance board. Payroll deductions (items 2 through 7) may be changed during any payroll period provided written notice is given to the payroll department by the 10<sup>th</sup> of the month for deductions to be effective with that month's payroll, and also provided that the changes (if applicable) are in compliance with the IRS regulations pertaining to TSA salary reduction agreements and the district's "cafeteria" fringe benefit plan.

### Time Sheets

Time sheets are required for all hourly employees and must be signed by the employee and appropriate supervisor. All hourly employees shall sign in at the beginning of each work day and sign out at the end of each work day. It shall be considered a violation of this policy if any employee signs in or out for another employee.

Time sheets shall be submitted to the payroll department following the "Cutoff Dates for Time Sheets" schedule. Submit your approved time sheets to payroll as soon after the cutoff date as possible.

### Reimbursement for Travel Expenses

The district will reimburse employees for all authorized travel. All reimbursable travel outside the boundaries of the district is to have prior approval of the Superintendent or the Executive Director of Finance and Support Services. The reimbursement may include registration fees, public transportation costs, meals, lodging, and mileage reimbursement. Private transportation costs may not exceed the cost of public transportation.

The employee must compile a reimbursement request, itemize all travel expenses, and substantiate with receipts for specified expenses (registration fees, lodging, meals, and public transportation).

### Reimbursement for In-District Travel

The district will reimburse employees for all use of personal vehicles for in-district travel when it is required by the job assignment or when it is authorized by the employee's supervisor. All other authorized travel will be reimbursed at the mileage rate approved by the Board of Education.

### Salary Reduction Plan – Section 125

A flexible benefit plan has been established under the Internal Revenue Code: Section 125 “Cafeteria Plan.” The purpose of this program is to allow employees, through a salary reduction agreement, to select their plan benefits within the guidelines of the Revenue Act of 1978. The benefits selected may be either taxable or non-taxable benefits, or a combination of both. It is understood that if it is necessary to have additional amounts of payroll deducted for the benefits selected, those amounts will be subject to federal and state income tax and FICA. All employees will be eligible for this option and will be restricted from changing participation status during the plan year unless there was a change in status or other qualifying event as recognized by the IRS.

### Tax Sheltered Annuities

The district will utilize tax sheltered annuity programs for payroll deductions of all companies approved by our third party administrator and licensed by the state insurance board.

### Kansas Public Employees Retirement System (KPERS)

Employees who meet the qualifications for the Kansas Public Employees Retirement System (KPERS) must become a member. An employee contribution as determined by current state law will be made each pay date. Requests for more information or questions about procedures should be directed to the district’s designated KPERS agent.

### Worker’s Compensation

Notice of Accident - Employees must notify the employer within ten (10) days of an accident or the claim may be barred. Additional information about your rights and responsibilities under worker’s compensation may be obtained from your supervisor or the district office. See Appendix K for sample accident report form.

Coverage – Benefits are for personal injury from accident or occupational disease arising out of and in the course of employment with the district. Injuries which occur during recreational or social events under circumstances where the employee is under no duty to attend, and where the injury did not result from the performance of tasks related to normal job duties, are not covered under worker’s compensation.

Any employee who is off work and drawing worker’s compensation shall be required to provide the Clerk of the Board with a written doctor’s release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under sick leave shall be ended and those benefits under worker’s compensation shall be restricted as provided by current law.

Coordination with Leave Benefits – The worker’s compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify. Whenever an employee is absent from work and is receiving worker’s compensation benefits due to a work-related injury, the district will coordinate sick leave/salary with any time-loss pay received from worker’s compensation.

### KPERS Retirement

The Kansas Public Employee Retirement System requires notice to KPERS on the proper forms prior to the first day of the month before starting retirement.

### Early Retirement



To be eligible for the early retirement health insurance program (ERIP), an employee must meet the following criteria:

1. The employee must have been in the district in a full-time position at least 15 consecutive years. The year of retirement must be included in the 15 consecutive years of employment.

AND

2. Retire under the provisions of the Kansas Public Employees Retirement System for full retirement (i.e. required KPERS points OR age/service requirements).

To receive the insurance benefit, classified staff must give 30 days notice prior to retiring.

Those who retire at the end of the 2015-2016 contract year will receive 10 years (or until the retiree is eligible for Medicare due to turning age 65 or due to disability) of insurance benefit at the rate of \$575.81 per month towards the district insurance plan.

Those who retire at the end of the 2016-17 contract year will receive 9 years (or until the retiree is eligible for Medicare due to turning age 65 or due to disability) of insurance benefit at the rate of \$500 per month towards the district insurance plan.

Those who retire at the end of the 2017-18 contract year will receive 8 years (or until the retiree is eligible for Medicare due to turning age 65 or due to disability) of insurance benefit at the rate of \$400 per month towards the district insurance plan.

Those who retire at the end of the 2018-19 contract year will receive 7 years (or until the retiree is eligible for Medicare due to turning age 65 or due to disability) of insurance benefit at the rate of \$300 per month towards the district insurance plan.

#### 403(b)

Staff not eligible for retiree health insurance may participate in the 403(b). The district started an employer match of at least 2% of the base salary in the 2013-14 school year. Staff who previously selected the retiree health insurance in lieu of the 403(b) are no longer eligible will have an option to sign up for the 403(b). For these staff members, the district will provide up to 2 years of additional matching with a maximum match of 4% of the base salary each year. The additional match must be completed by the end of the 2018-2019 contract year.

#### Unemployment Insurance

Unemployment benefits will be provided for all district employees as provided by state and federal law.

## **Schedules**

#### Work Schedule

Time schedules for classified employees will be assigned by the Superintendent, Executive Director of Finance and Support Services, Assistant Superintendent, or their designees.

The normal work week for classified personnel shall consist of a minimum of thirty (30) hours per week for full-time employment. The working day of classified employees and specific daily tasks will be noted in the work agreement.

#### Overtime

There shall be no overtime worked unless approved in advance by the Superintendent/designees and/or supervisor. All overtime will be paid at the rate required by law. All approved overtime shall be recorded on the employee's time sheet.

Overtime pay is paid for hours actually worked in excess of forty (40) hours. Paid leave shall not be considered as hours worked.

Unauthorized overtime work is prohibited by this policy. However, prohibition of unauthorized overtime does not avoid the requirement for the district to pay if it is actually worked. Corrective or disciplinary action may be taken with the employee up to and including termination of the employee.

Employees eligible for overtime are not authorized to work at home under any circumstances. Issues involved include lack of verification of work completed and confidentiality issues.

### Breaks

All classified personnel are allowed a break if their regular daily schedule calls for four (4) hours or more of continuous work. Breaks are limited to fifteen (15) minutes in length and may not be accumulated or added to lunch or dinner hours. Breaks for meal times, if allowed, shall be scheduled by the supervisor.

### Calendar

The district calendar is available for viewing on the district website at [www.usd489.com](http://www.usd489.com).

### Facility Scheduling

All matters relating to the use of school buildings and properties other than for school purposes shall be under the jurisdiction of the Superintendent in accordance with board policy. The use of playgrounds and buildings during the summer shall be governed by regulations established by the Board of Education.

It is the purpose of the Board of Education to promote the greatest possible use of existing plant facilities consistent with good educational practices. All meetings and building or equipment uses in or on school property of whatever character by any group whatsoever must meet with the approval of the Board of Education and be subject to its supervision.

Refer to the Board of Education policies for guidelines on the use of district facilities.

## **Conduct**

### Drug-Free Workplace

The use, possession, sale, distribution, dispensation or manufacturing of alcohol, illegal drugs, or any controlled substance, other than prescribed amounts of a prescription drug, during working hours, on school property, or during school activities, or while operating school equipment or vehicles is prohibited by the district.

Reporting to work while impaired by the use of alcohol, illegal drugs or controlled substances or with any of those substances in your system is also strictly prohibited. Any violation of this policy may be grounds for immediate dismissal.

See Appendix N.

### Tobacco Use, Vaping, E-cigarettes

The possession/use of tobacco and tobacco products on/in school property/buildings or at any school-related activity is prohibited. Vaping and E-cigarettes are also prohibited.

### Relations with Students

In general, pupils are the responsibility of the teacher and except under certain circumstances, classified personnel should assume no direct authority over them. Exceptions occur with bus drivers, para-educators, and certain secretarial positions. Misconduct should not be ignored but reported to the teacher or principal in charge.

### Employee Protection

Any classified employee who feels that his or her personal safety or property has been threatened in connection with his or her employment by USD 489 needs to notify his/her principal or supervisor as soon as possible. If a principal is involved, the complaint should be handled at the next administrative level. The threat may be physical, or it may be conveyed through any means of communications.

### Bullying Policy

Bullying on USD property, in a USD 489 vehicle, or at any USD 489-sponsored activity or event is prohibited. The Superintendent of USD 489 shall develop a plan to address bullying at USD 489. The plan shall include provisions for training and education of staff and students.

See Appendix F for definitions and procedures to report bullying.

### Civility Policy

USD 489 believes interactions among individuals should be of a positive and productive nature. In accordance with this belief, it is the policy of USD 489 for its members and employees to treat everyone (fellow employees, students, parents/guardians, patrons, visitors, anyone having business with the district) with fairness and respect. The district also expects that anyone having interaction(s) with employees of the district will treat them with professionalism, courtesy, dignity, and respect.

See Appendix C for definitions and procedures to report uncivil behavior(s).

### Sexual Harassment

The Board of Education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment will not be tolerated by the school district. Sexual harassment of employees or students of the district is strictly prohibited.

See Appendix B for definitions and procedures to report sexual harassment.

### Confidentiality

USD 489 is committed to promoting an environment that retains the full trust and confidence of the staff and school community. In our daily work we are in the unique and responsible position of having access to and being aware of an array of highly sensitive personal, medical and workplace information. Information we have received of a personal nature will be disclosed to other parties only when it is legally required or essential to the operation of the school district, and then only on a strict need-to-know basis.

Unauthorized disclosure of confidential information is considered a serious offense, and may be cause for disciplinary action up to and including termination of employment.

### Gifts

Unless approved by the principal or immediate supervisor, employees shall not give gifts to any student or class of students when the gifts arise out of a class or school-related activity.

Employees are prohibited from receiving gifts from vendors or sales representatives. Premiums resulting from sales projects sponsored by the district shall become the property of the district. All other premiums, price reductions, and additional merchandise awarded based on district business shall become the property of the district.

### Solicitations

The district will not release the names of students or employees for commercial use.

Agents and salesmen may not interview staff about personal matters during the school hours or for a half hour before or after school with the exception of services offered through payroll deductions.

### Dress Code

The Board of Education encourages appropriate dress for all district employees.

### Conflict of Interest

Classified employees shall not act as agents or accept commissions, royalties or other awards for books, equipment, or other school materials, the selection or purchase of which they may influence; provided, however, that this shall not prohibit classified employees from writing for gain.

District employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties.

### Outside Employment

Classified employees shall not engage in outside employment which impairs the effectiveness of their service.

### Suspension

The Superintendent shall have the authority to suspend classified employees with pay until the suspension is resolved by board action. The Board of Education may suspend with or without pay for a period determined by the board.

### Termination

The Board of Education may terminate a classified employee at any time, with or without cause.

### Absenteeism

Regular attendance is required of all employees subject to allowed leave in accordance with district policy or negotiated agreement, as appropriate. Excessive absences or tardiness, unauthorized leave or unexcused absences may result in disciplinary action including termination of employment.

## **District Procedures**

### Assignment and Transfer

The Board of Education retains the right to assign, re-assign and transfer classified personnel.

### Board of Education Policy

Classified staff members are expected to be informed concerning state statutes on public education and Board of Education policies. Employees are also expected to follow all regulations established by the Board of Education. A copy of board policy is available online at [www.usd489.com](http://www.usd489.com).

### Complaints – Grievances

Any employee may file a complaint with their supervisor concerning a school rule, regulation, policy or decision that affects the employee.

The complaint shall be in writing, filed within ten (10) days following the event complained of, and shall specify the basis of the complaint. The supervisor shall meet with the employee and provide a written response within ten (10) days. If the employee disagrees with the decision, the employee may appeal to the Superintendent. The Superintendent's decision shall be final.

### Work Agreement

Any written work agreement shall contain a reference that the employee is an employee-at-will, and the agreement may be terminated by either party by giving two weeks written notice to the other. There are no rights of continuing employment.

### Discrimination Complaints

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited.

The Superintendent of Schools has been designated to coordinate compliance with non-discrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Complaints of discrimination should be addressed to an employee's supervisor or to the compliance coordinator. Complaints of discrimination against the Superintendent should be addressed to the Board of Education or compliance coordinator.

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

See Appendix H.

### Drug and Alcohol Testing

All employees who are performing safety sensitive jobs for the district which require a commercial driver's license (CDL) as defined by the Omnibus Transportation Act of 1991 will be subject to drug and alcohol testing requirements as outlined in the district adopted plan. This plan is on file with the Clerk of the Board and is distributed to each appropriate employee in a safety sensitive position.

Compliance with the required elements of the testing program is a condition of employment as a driver in the district.

A copy of USD 489's Drug and Alcohol Testing Policy is available at the district office for review. An employee required to participate under the testing policy will be given a copy of the Drug and Alcohol Testing Policy during their orientation.

### Evaluations

The purpose of evaluations of the classified staff is to insure a quality of work performance that is necessary for the attainment of the instructional support or auxiliary goals of the district. The primary function of the evaluation is to assess the employee's job performance in relation to their job description. The evaluation instrument to be employed will be maintained on file at the Rockwell Administration Center.

### Supervision

The Superintendent has the responsibility to supervise classified staff in the Technology, Transportation, Nutrition Services, and Grounds and Maintenance departments. The Executive Director of Finance and Support Services has the responsibility to supervise classified staff in the Accounting, Payroll and Human Resources departments. A building principal has the responsibility to supervise all classified staff who are assigned to their building.

### Job Descriptions

Job descriptions will be developed for all classified employees. The job descriptions will be reviewed on a periodic basis for the purpose of updating and clarification. These job descriptions will be used as part of the hiring and evaluation process.

### 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, with or without cause.

### Distribution of Materials

Materials from sources outside of the district may not be distributed on school grounds without prior permission from the principal/supervisor. Examples of outside materials include, but are not limited to, political materials, special interest materials and advertisements. The principal shall determine the time, place and manner for materials distribution.

### Orientation

All new classified employees shall receive an orientation as designed by the supervisor and shall be given a link to the online copy of this handbook. All new employees are to review the handbook, sign the Acknowledgement of Receipt form, and return the form to the Human Resources office.

### Personal Property

The district is not responsible for employees' personal property and does not provide insurance on employees' personal property. If an employee's personal property is broken, damaged or stolen while the employee is on the job, repair or replacement is the employee's responsibility.

### Use of Personal Vehicle

The district will reimburse employees for all use of personal vehicles for in-district travel when it is required by the job assignment or when it is authorized by the employee's supervisor. When the employee is requested

to use a personal vehicle on a regularly scheduled basis (minimum three (3) times per week throughout the school year) the reimbursement rate will be the mileage rate approved by the Board of Education or a minimum per month established by the board. All other authorized travel will be reimbursed at the rate approved by the Board of Education.

Any employee who plans to transport students in his/her personal vehicle must provide proof of adequate insurance and a valid driver's license to the principal *prior* to transporting students.

#### Weapons

Employees are prohibited from carrying weapons on school property or at school-sponsored events.

#### Interrogation and Investigation of Students

No one may interrogate or investigate a student on school grounds without the permission of the principal.

#### Searches of Students and Property

If a classified staff member believes there is a need to search a student or property, he/she shall contact the principal. Search of students or property shall be conducted in accordance with the rules approved by the Board of Education. Classified personnel shall *not* search students or property. No law enforcement officer shall search students or property without a search warrant.

Building principals are authorized to search students or property if there is reasonable suspicion that district policies, rules or directives are being violated.

#### Resignation

Classified employees may resign from their jobs in accordance with the employee's work agreement and Board of Education policy.

#### Staff Development

All plans for staff development involving expenditure of district funds, or which require time away from the employee's assigned responsibilities shall be approved in advance by the employee's supervisor.

#### Telephone Use

District telephones are for school business. Use of phones for personal business should be avoided except in case of an emergency. Use of phones for social calls is not permitted. Long distance calls made in an emergency must be recorded and reported to the employee's immediate supervisor so arrangements may be made to bill the employee.

Cell phone use during scheduled work time for personal reasons is discouraged.

#### Computer and E-Mail Usage

Computers, computer files, the e-mail system, and software furnished to employees are USD 489 property intended for business use. Employees shall not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

USD 489 strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees. Therefore, USD 489 prohibits the use of computer and the e-mail system in ways that are disruptive, offensive

to others, or harmful to morale. The display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-school business matters.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. USD 489 prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### **COMPUTER AND DEVICE ACCEPTABLE USE: NO RIGHT TO PRIVACY**

Employees shall have no expectation of privacy when using district e-mail, other official communication systems, computers, or electronic devices. E-mail messages shall be used only to conduct approved and official school business. All employees must use appropriate language in all messages. Employees are expected to conduct themselves in a professional manner and to use the system according to these guidelines or other guidelines published by the administration and the Board.

Any e-mail or computer application or information in district computers, computer systems, or electronic devices is subject to monitoring by the administration. The district retains the right to duplicate any information stored in the system or device or on any hard drive. Employees who violate district computer or electronic device policies are subject to disciplinary action up to and including termination.

Employees shall only use passwords or other encoding or security mechanisms as assigned by the district computer systems administrator, or other officials designated by the board. The use of a password does not affect the employer's right to monitor. All forms of electronic communications are monitored by the employer to ensure the systems are only being used for official purposes. See BOE policy IIBG.

#### Internet Usage

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of USD 489 and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in all Internet transmissions is appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of USD 489. As such, USD 489 reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Abuse of the Internet access provided by USD 489 in violation of law or USD 489 policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy.

See "Acceptable Use Policy Agreement" and "Technology Loan Agreement" Appendix G.

#### Purchasing Procedures

All purchases will be made using a district purchase order. The following steps are necessary to purchase any item:



1. A requisition is submitted and approved by the principal, director, and/or immediate supervisor. The requisition will contain the vendor's name, a description of the item to be purchased, and an estimate of the cost of the item and shipping costs.
2. A purchase order is generated by the central office from the requisition form and is checked for proper signatures. A purchase order is approved if funds are available and then sent to the vendor.
3. The route copy of the purchase order must be returned to the central office once all items are received. Payment will not be made until the route copy is received.

No purchases can be made without a requisition form being completed and signed and a purchase order being issued. The requisition form should include the name and department of the person to whose attention the items should be shipped.

## **Records**

### Personnel Records

A personnel folder for each employee shall be maintained in the Human Resources Department or electronically in a secure system. The file of an individual employee will be considered confidential information and a closed record, to the extent allowed by the law, and will only be available to authorized administrative personnel. Employees have the right to inspect their files upon proper notice under the supervision of an administrator. A request by a third party for release of any personnel record shall require the written consent of the employee, and shall be submitted to the Human Resources Department who shall respond to the request as the law allows. All personnel files and evaluation documents, including those stored by electronic means, shall be adequately secured. These folders will include completed application forms, evaluation forms, etc.

### Required Records

Each employee must have the following records/forms on file with the Human Resources Department before the first day of employment:

- Employment application
- KPERS enrollment form (if employee is eligible)
- W-4 and K-4 withholding certificates
- Social security number
- Oath of Affirmation
- Completed Certificate of Health
- Driver's license and driving record (if required for position)
- INS form (proof of identity)
- Signed receipt of Sexual Harassment Policy, and Asbestos Notification

### Driving Records

It shall be the responsibility of all school bus drivers to annually provide documentation to the Director of Transportation of the validity of license certification by the Kansas Department of Revenue. If a school bus driver's license is suspended, restricted or revoked at any time, such suspension, restriction or revocation shall be immediately reported to the Director of Transportation and the driver may be subject to immediate termination of employment. If a school bus driver receives a citation for driving under the influence (DUI) during employment or in their private vehicle during non-school time, the driver shall immediately inform the Director of Transportation and the driver may be subject to immediate termination of employment.

## Reports

### Accidents

Any school employee who discovers an accident on school property shall report the accident to the building principal or designated representative.

If the person requires medical treatment, the employee shall:

- Send for medical help;
- Make the individual as comfortable as possible while waiting for competent medical assistance to arrive; and
- Notify the principal or designated representative.

If an employee present is qualified to administer first aid, that aid may be given. Qualified employees are those employees who have successfully completed an approved Red Cross first aid program or the school nurse.

If an employee is injured on the job, the following procedures should be followed:

1. The injured employee reports to the nurse assigned to that site, **the same day as the injury occurs.**
2. The nurse will help the employee fill out the **USD 489 EMPLOYEE ACCIDENT REPORT FORM.** The nurse will send a copy to Human Resources at the Rockwell Administration Center.
3. The nurse will decide if the injured employee needs to see a physician. If so, she will call Hays Medical Center Work SMART Health Clinic or First Care Clinic and make an appointment.
4. The injured employee needs to return any paperwork given to them by the doctor (if applicable) to the school nurse, who in turn give copies to the Human Resources department at the Rockwell Administration Center.

See Appendix K.

### Child Abuse

Any district employee who has reason to know or suspect that a child has been injured as a result of physical, mental or emotional abuse or neglect, or sexual abuse, shall promptly report the matter to the local Social Rehabilitation Services (SRS) office or to the local law enforcement agency if the SRS office is not open.

It is recommended the building administrator also be notified after the report is made.

District employees shall 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 school employees to prove the child has been abused or neglected.

### Vandalism

All school personnel shall report any vandalism to their immediate supervisor. School personnel are required to lock or otherwise secure any files, records, safes or similar compartments at the close of each school day.

## Health

### School Nurse

Each building site has a designated school nurse. See "Accidents" – page 20.

### Asbestos

USD 489 has developed and affected an Asbestos Management Plan for all school facilities within the district. The plan meets all the requirements enacted by federal regulations. The Management Plan is available for your review in the main office of each school site and at the Rockwell Administration Center. All inquiries regarding the Management Plan will be directed to the district's Asbestos Program Manager.

All employees will sign a Receipt of Asbestos Notification when enrolling with Human Resources, and will receive a follow-up letter annually from the Program Manager.

See Appendix L, "Receipt of Asbestos Notification."

### Bloodborne Pathogens

The exposure control plan for bloodborne pathogens is available for review from the school nurse or the Executive Director of Finance and Support Services at the Rockwell Administration Center.

Employees that have a high risk of exposure to bloodborne pathogens will receive specific training and will be offered the Hepatitis B vaccination at no cost. All other employees, not included in the high-risk category, will be required to attend annual training on bloodborne pathogens. See Appendix M, "Bloodborne Pathogen Information."

### Communicable Diseases

Whenever an employee has been diagnosed by a physician as having a communicable disease, the employee shall report the diagnosis and nature of the disease to the Superintendent so a proper report may be made as required by statute.

An employee afflicted with a communicable disease dangerous to the public health shall be required to withdraw from active employment for the duration of the illness in order to give maximum health protection to students and other district employees.

The employee shall be allowed to return to duty upon termination of the illness, when authorized in writing by a physician.

The Board of Education reserves the right to require a written statement from the employee's physician indicating the employee is free from all communicable disease symptoms.

### Occupational Performance Assessment

As a condition to entering employment, new custodians and maintenance personnel are required to complete and pass an occupational performance physical assessment. This assessment is administered by medical professionals.

### Physicals for Bus Drivers

The district will allow the Board of Education to approve an amount for the cost of a physical examination from a physician of the employee's choice. Excess cost above the approved amount is the responsibility of the driver.

Bus drivers should take the appropriate health examination form with them for their exam. Any additional examination services above the minimum required (such as a chest x-ray instead of the skin test for tuberculosis screening), will be at the expense of the individual employee.

### Medications-Administering

The supervision of any medications shall be in strict compliance with the rules and regulations of the Board of Education. District employees may not dispense or administer any medications, including prescription and non-prescription drugs, to students except as outlined in Board of Education policy.

### Hazardous Waste

When hazardous waste material is produced in a class, or otherwise located in the district, its disposal shall be in accordance with state and federal laws, rules and regulations.

No employee shall bring hazardous material to school without the prior approval of their supervisor. Such material shall be in an appropriate container and properly labeled if permission is granted.

If an employee discovers waste material which is, or may be, hazardous, he/she should notify his/her supervisor immediately.

Hazardous wastes include, but are not limited to, wastes which are flammable, corrosive, infectious, highly reactive or toxic.

Hazardous waste must be placed in an appropriate container affixed with a hazardous waste label which lists the specific contents.

Unlabeled containers, whose contents are undetermined, which may contain hazardous substances, shall not be put in trash containers. All hazardous wastes must be properly labeled and stored appropriately until they can be disposed of properly. Placing them in trash containers or the sewer system is not an acceptable disposal method.

### Pest Control

The district periodically applies pesticides inside buildings. Information regarding the application of pesticides is available from the Director of Buildings and Grounds.

## **Safety and Security**

### **USD #489 SAFETY COMMITTEE POLICY/PROCEDURE STATEMENT**

USD #489 is committed to maintaining a safe and healthy work environment for all employees and users of our facilities. Each employee is empowered to act and is expected to respond to unsafe conditions by reporting their observations and/or taking appropriate corrective measures in keeping with District safety procedures and industry practice. Visitors, contractors and other users of the District are subject to the Health and Safety Policies as established by the Board of Education.

The Superintendent will commission and support a safety committee to oversee district-wide safety and occupational health issues. The chairperson, with support of the committee, has the authority to affect immediate cessation of activities or situations that compromise health, safety or environmental statutes or create undue risk exposure to the District and its employees. Committee membership will consist of representation capable of covering District-wide safety, communications and input, such as, but not limited to, Administration, Classified Employees, Certified Employees and others as determined by the Superintendent. The Superintendent will appoint a chairperson and may establish goals where necessary. The committee will

report findings and recommendations to the Executive Director of Finance and Support Services to facilitate District-wide communications. The Superintendent's office maintains an "open door" policy to address safety and health concerns.

The Safety Committee will meet regularly throughout the school year as called by the chairperson. Goals include:

- The review of and monitoring of accident, incident and hazard reports.
- Providing for accident/incident/ hazard investigation as needed.
- Review, development, communication and enforcement of safety and emergency procedures including; general safety, right-to-know, hazardous waste management, risk management, environmental and personal protection and any other health and safety related exposure.
- Conducting periodic hazard inspections.
- Assisting in environmental health and safety related training programs.
- Track health and safety regulations and implement as required.

### **EMPLOYEE RESPONSIBILITIES**

Each employee is expected to assist in maintaining a safe work environment as a condition of employment, to observe all safety and personal protection measures established by the District or individual departments and to report unsafe practices or conditions. An employee may be called upon to assist in training new employees, serving on the Safety Committee, conducting hazard inspections and facilitating abatement of hazards as part of their regular job duties. When unsafe conditions exist, employees may take immediate corrective measures then communicate and document as appropriate to the situation. An Accident/Incident or Hazard report needs to be filled out as soon as possible and submitted to the Administration office within 24 hours.

### **ADMINISTRATOR RESPONSIBILITIES**

Administrators are responsible to communicate to all in their respective area that health and safety for all are of the highest priority. Administrators will support and encourage subordinates in the development and implementation of building safety procedures and monitoring the implementation and effectiveness of the safety practices in their unit.

### **SUPERVISOR RESPONSIBILITIES**

Supervisors are responsible for the training and education of their employees in safe working practices within respective work areas. Supervisors will supply proper safety equipment and personal protection devices, develop and monitor safety practices appropriate to the area. Supervisors should work in partnership with employees to eliminate hazards and refrain from assigning tasks to employees where training has not been given. Supervisors are responsible for documenting all training and maintaining a record of such for each employee.

### **HAZARD/ACCIDENT REPORTING**

Upon discovery of a work place safety hazard, one should first take measures to eliminate or reduce the risk to others. Contact Facilities, Administration or other appropriate source for assistance.

Accident Reports are filled out to document a situation that has already occurred, such as a slip, trip, fall, cut finger, or other work place injury. Reports are submitted to the Administration within 24 hours of the incident.

### Fire Drills

Each principal is expected to hold at least one fire drill per month. Each classroom is to have the evacuation route for said room posted in a conspicuous place. The master plan for evacuation of each building is to be on file in the principal's office.

### Tornado Drills

Each principal is expected to hold at least three (3) tornado drills per school year. Each classroom is to have the tornado procedures posted in a conspicuous place. The master plan for tornado procedures of each building is to be on file in the principal's office.

### Emergency Drills

Each principal is expected to hold a minimum of one practice drill with staff and/or students at least once per school year, to include codes yellow, red, green and blue. Each classroom and each phone is to have the emergency flipchart posted in a conspicuous place.

### Public Notification

If it is necessary to evacuate to another site, or if the district must lock down all buildings, the Superintendent will notify all local radio and local TV stations as to the status and further information. The Superintendent and/or building principal may utilize the district's emergency notification system that sends important information as text messages and e-mails to those who have subscribed to the free service.

### Weather Related Emergency Closing

When the Superintendent decides the weather threatens the safety of students and employees, he/she will notify the designated radio and TV stations to broadcast a school closing announcement. A list of designated radio and TV stations is available from your supervisor or building principal. Any closings for weather will also be broadcast on the district's emergency notification system.

### Safety Practices

All employees shall engage in safe lifting, climbing and carrying practices. Employees shall ask for assistance when needed.

### Security

Any district employee who believes any of the following has occurred at school, on school property or at a school-sponsored activity shall immediately report this information to his/her building principal or central office administrator:

- An act which constitutes the commission of a felony or a misdemeanor; or
- An act which involves the possession, use or disposal of explosives, firearms or other weapons as defined in current law.

### Securing Work Area

Employees are expected to lock or otherwise secure any files, records, safes, tools, vehicles or other district equipment at the close of each work day and other appropriate times.

### Building Opening and Closing Times

Building opening and closing times are available from your supervisor or building principal, and online at [www.usd489.com](http://www.usd489.com).

### Keys

The Director of Buildings and Grounds is responsible for issuing keys and maintaining a current and accurate list of all people who have been issued keys. No keys shall be duplicated without permission.

Keys should be turned in to the appropriate supervisor when an employee is no longer employed by the district or is assigned to another building.

Keys shall not be loaned to anyone. Any lost keys shall be reported immediately to the principal so measures may be taken to maintain safety and security and to protect district property.

### ID Cards

Photo ID cards are issued to all staff when they are hired. The ID card must be worn at all times while in your place of employment or at any district site to identify the holder as an employee of the school district.

All visitors to the building are required to report to the office and will be issued a visitor's ID. If you see someone in your building without a visible ID, you should stop them and ask them to present their visitor's ID. If they do not have one you should ask them to follow you to the office to get one.

ID cards must be turned back in to your principal/supervisor with your keys when you leave employment with the district.

### Crisis Plan

The master crisis response plan and floor plan for each building is to be reviewed/revised annually, with one copy to be kept on file in the principal's office, a copy to be kept at the Rockwell Administration Center office, and a copy to be provided to the appropriate emergency responders.

## **Discipline: Progressive Discipline Policy and Procedure**

### **Purpose**

Our progressive discipline policy and procedure is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. It has been designed consistent with our organizational values, HR best practices, and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. The District Administration reserves the right to combine or skip steps depending upon facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered depend upon whether the offense is repeated despite coaching, counseling and/or training, the employee's work record and the impact the conduct and performance issues have on our organization.

### **Procedure**

### ***Step 1: Verbal Warning***

Step 1 creates an opportunity for the immediate supervisor to speak with an employee to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or violation of district policies and procedures. The verbal warning will be documented by the supervisor using the district Disciplinary Notice form and placed in the employee's personnel file. The employee should submit, sign, and date any written comments that the employee desires to accompany the verbal warning.

### ***Step 2: Written Warning***

If any problem arises which, in the discretion of the employee's supervisor, is serious enough to warrant a written warning, the supervisor will meet with the employee and review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. The written warning and corrective procedures will be documented by the supervisor and employee using the district Disciplinary Notice form and placed in the employee's personnel file.

### ***Step 3: Final Written Warning***

Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, through the Progressive Discipline Policy steps 1 and 2, a final written warning may be issued. The district Disciplinary Notice form will be completed and placed in the employee's personnel file.

### ***Step 4: Termination of Employment***

The last and most serious step in the progressive discipline procedure is termination of employment. Generally, District Administration will try to exercise the progressive nature of this policy by first providing warnings and a final written warning before proceeding to termination of employment. However, District Administration reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

*Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Hays Unified School District No. 489 and its employees.*

### **Performance and Conduct Issues Not Subject to Progressive Discipline**

Behavior that is illegal is not subject to progressive discipline and may be reported to local law enforcement. Theft, intoxication at work, fighting and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination.

## **Equipment and Supplies**

### **Appropriate Use of Equipment and Supplies**

Use of equipment and supplies is for the performance of official and approved assignments only. Use of district equipment or supplies for personal projects is prohibited.



### Intellectual Property

See Board of Education Policy 5.608.

### Secure Files

All employees must secure files containing confidential information.

### Copying and Duplicating

The copyright laws of the United States makes it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the “fair use” doctrine. Any duplication of copyrighted materials by district employees must be done with permission of the copyright holder or within the bounds of “fair use,” as set forth in board policy.

### Transportation Request

Request for use of district transportation should be made online from the district website at:  
[.http://www.hays489.k12.ks.us/](http://www.hays489.k12.ks.us/)

## **APPENDICES**

### Appendix A

District Compliance with Title IX, Section 504, Title VI, Americans with Disabilities (ADA)

### Appendix B

Sexual Harassment

### Appendix C

Civility Policy

### Appendix D

HIPAA Policy

### Appendix F

Anti-Bullying Policy

### Appendix G

Acceptable Use Policy Agreement and Technology Loan Agreement

### Appendix H

Non-Discrimination Statement

### Appendix K

Employee Accident Form

### Appendix L

Asbestos Notification Letter and Statement of Receipt

### Appendix M

Bloodborne Pathogen Information

Appendix N  
Drug-Free Workplace

Appendix O  
Employee Rights and Responsibilities Under the FMLA

Appendix P  
Certification of Health for School Personnel K.S.A. 72-5213

### *Appendix A*

## **District Compliance with Title IX of the Education Amendments of 1972, Section 504 - The Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and The Americans with Disabilities Act of 1990.**

### **Introductory Statement**

The Unified School District No. 489, Ellis County, Hays, Kansas, does not discriminate on the basis of race, color, national origin, sex, age, disability, or religion in admission or access to, or treatment or employment in, its programs and activities.

It is the intent of the Unified School District No. 489, Ellis County, Hays, Kansas, to comply with both the letter and spirit of the law in making certain discrimination does not exist in its policies, regulations, and operations. Grievance procedures for Title IX and Section 504 have been established for students, their parents/guardians, and employees who feel discrimination has been shown by the local education agency.

Title IX of the Education Amendments of 1972 dictates the prohibition of sex discrimination in all facets of education in the United States.

Section 504 of the Rehabilitation Act of 1973 provides that "no otherwise qualified handicapped individual shall, solely by reason of said handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program actively receiving federal financial assistance."

Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the regulation of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that tide, to the end that, in accordance with Title VI of that Act and the regulation, provide that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance.

The Americans with Disabilities Act of 1990 provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

The board of education recognizes its obligations to comply with the directives and the intent of this legislation in all of its policies, rules, actions, activities, and programs.

### **Directive to the Superintendent of Schools**

The superintendent of schools shall recommend annually an individual to be approved by the board of education to serve as district compliance officer to investigate all matters pertaining to this policy. The superintendent of schools shall serve as an appeals officer.

### **Complaints About Discrimination**

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and

activities is prohibited. The district compliance officer is designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Information concerning the provisions of these acts, and the rights provided Thereunder, are available from the compliance officer.

Complaints by an employee should be addressed to the employee's supervisor or the compliance officer. Complaints by a student should be addressed to the student's school principal or the compliance officer. Complaints by any other person alleging discrimination should be addressed to the school principal or the compliance officer. Complaints about discrimination will be resolved through the following complaint procedure:

1. A complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. The complaint should be filed within 30 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing. However, this is not to be construed as setting a time limit on complaints under Appendix A - Title IX or Appendix B - Sexual Harassment.
2. If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board of education shall appoint an investigating officer. In other instances, the investigation shall be conducted by the superintendent or appointee. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit evidence, written or oral, relevant to the complaint to the investigator.
3. A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant no later than fifteen (15) days after the filing of the complaint.
4. Records relating to complaints filed and their resolution shall be maintained in a confidential manner by the compliance officer.
5. The complainant may appeal the resolution of the complaint to the superintendent, or to the board of education president if the complaint was against the superintendent. The request to appeal the resolution shall be made within 5 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 20 days after the appeal is filed.
6. Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies.

### **Dissemination**

At least once annually the superintendent will post copies of this policy on all student bulletin boards in each school and will deliver a copy of this policy to each employee.

All school publications, memoranda, handbooks, advertisements and application forms will include a statement of recognition of this policy, (revised 10/18/04)

## *Appendix B*

### Sexual Harassment

---

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment will not be tolerated by the school district. Sexual harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events.

Sexual harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person, with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning an employee's job status.

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved.

Employees who believe that they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance officer as designated annually by the board of education.

Employees who do not believe that the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure (see Appendix A - Title IX).

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, persuasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of sexual harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy and related materials shall be posted in each district facility. The policy shall also be published in student, parent/guardian and employee handbooks as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually, (revised 2/15/99)

## *Appendix C*

### **Civility Policy**

Unified School District No. 489 believes interactions among individuals should be of a positive and productive nature. In accordance with this belief, it is the policy of the Hays Public School district for its board members and employees to treat everyone-fellow board members, employees, students, parents/guardians, patrons, visitors, anyone having business with the district-with fairness and respect. The district also expects that anyone having interaction(s) with employees of the district will treat them with professionalism, courtesy, dignity, and respect.

What is "Civil Behavior"?

It is our policy, in accordance with the law and accepted rules of a civil society, to maintain an environment which is legal, ethical, and non-abusive. The policy is not intended to deprive anyone of his/her right to freedom of expression; its intent is to maintain a reasonable and safe environment for all.

- Civil behavior is polite. Even when we disagree with each other, we can be polite. Remember: civility is often verbal, but it can be nonverbal as well.
- Civil behavior is controlled. When we are civil, we allow reason and respect to control our behavior.
- Civil behavior is the best means of accomplishing one's goals through self-expression, persuasion, and acknowledgment of others.

What behaviors are uncivil?

These behaviors are uncivil. It can occur in person, on the phone, on voice mail, in writing, or in e-mail.

- Physical or verbal threats, overt or implicit.
- Behaviors that are coercive, intimidating, violent, or harassing.

Examples of uncivil behavior

Uncivil behavior includes, but is not limited to:

- Use of profanity
- Personally insulting remarks
- Attacks on a person's race, gender, nationality, or religion

How to respond civilly to people who are uncivil:

First, remember that the policy of the Hays Public School district opposes uncivil behavior. If you feel you have been the object of such behavior:

1. Use your best interpersonal skills to return the conversation to a civil tone.
2. End a phone conversation or a personal interaction. Politely but firmly express your belief that the tone of the interaction has become unproductive. Indicate your intention to refer the issue to a third party (e.g., the supervisor of the alleged offender).
3. If evidence of the allegations of uncivil behavior exists, save it (notes, e-mails, voice mails).
4. If appropriate, ask a principal or supervisor to join a conversation that is going in the wrong direction.
5. Follow through by referring the issue to an appropriate person and filing an incident report form, if necessary. Employees may want to refer the issue to the supervisor of the alleged offender. Parents/guardians may follow up with a principal. Students can speak with a principal, teacher, or student support staff.

*Appendix D*

**HIPAA POLICY**

The district shall comply with all applicable Health Insurance Portability and Accountability Act (HIPAA) provisions including those ensuring the confidentiality of protected health information.

**Staff Training Required**

The district shall provide appropriate and timely professional development activities regarding HIPAA requirements.

**Compliance Required**

All staff shall abide by HIPAA requirements and maintain the confidentiality of protected health information. The district shall provide notice to staff and students as required by law. (Adopted 10/18/04)

*Appendix F*  
**Anti-Bullying Policy**

*Background:*

Bullying on USD 489 property, in a USD 490 vehicle or any USD 489-sponsored activity or event is prohibited. The Superintendent of USD 489 shall develop a plan to address bullying on USD 489 property, in USD 489 vehicles and at USD 489-sponsored activities and events. The plan shall include provisions for training and education of staff and students. The plan shall be submitted to the Board of Education for its approval. When approved, the Superintendent shall assure that the plan is implemented.

*As used in this Policy, the following definitions apply:*

"Bullying" means:

(A) Any intentional gesture or any intentional written verbal or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:

- Harming a student or staff member, whether physically or mentally;
- Damaging a student's or staff member's property
- Placing a student or staff member in reasonable fear of harm to the student or staff member; or
- Placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or

(B) Any other form of intimidation or harassment prohibited by any policy of USD 489.

"School vehicle" means any school bus, school van, other school vehicle and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.



**APPENDIX G**  
**Acceptable Use Policy Agreement**  
**USD 489, Hays, Kansas**

USD 489 offers a comprehensive system of technological equipment. Users may have access to internal and external resources in order to retrieve and process information designed to facilitate learning and enhance educational information exchange.

USD 489 assumes responsibility for the management of the structure, hardware, and software that allow users access to information technologies for educational purposes. District equipment includes (but is not limited to) computers, drives, printers, scanners, networks, video and audio recorders, cameras, photocopiers, telephones, modems, and other related technological resources. Software includes (but is not limited to) computer software, print and non-print resources. Networks include (but is not limited to) all voice, video and data systems, including the district's internal network and the Internet.

The purpose of these technology systems is to facilitate communications in support of education and research that is consistent with educational objectives and the outcomes for USD 489. The school district reserves the right to monitor all use of technology systems. The district may, at its discretion, review any and all technology systems accessed by users. Such monitoring may be conducted without notice. Acting as agent of USD 489, the administration will determine whether or not specific use of the technology systems is appropriate and/or consistent with acceptable use. *This decision is final.* The use of district technology systems is a privilege and may be revoked at any time. USD 489 is not responsible for any actions taken by the users that do not support the purposes and outcomes of USD 489.

Prohibited User Activity may include but is not limited to:

- Using, possessing, or distributing any media containing applications or data inconsistent with educational objectives.
- Using the technology systems for personal or private business, for product advertisement or political lobbying, or for incurring financial commitments over the internal or external network.
- Using the technology systems to disrupt the activity of others, to harass or discriminate against others, to gain unauthorized access to computer systems or programs, or to initiate any type of virus in any computer system or program.
- Using profanity, obscenity, discriminatory language, vulgarities and other inappropriate language, graphics or sound.
- Using the system to obtain or to disseminate pornographic and/or sexually suggestive content.
- Revealing any personal, confidential, or private information about another individual such as home address, phone number, etc.
- Representing oneself as someone other than who you are.
- Using someone else's account number or password or allowing someone else to use your account number or password.
- Trespassing in folders not authorized to users.
- Damaging equipment or intentionally wasting resources.
- Removing hardware and/or software from the premises without prior authorization.
- Violating any federal or state copyright or unfair trade law.
- Violating any federal, state, local, common law, or criminal law.
- Conducting any activity that exposes the district to litigation or expenses.
- Violating any laws that might suggest libels or slander.
- Personally benefiting from the sale of "User-Developed Subject Matter" created while under the supervision or employment of USD 489.

*I understand and will abide by the guidelines outlined in this Acceptable Use Policy Agreement. I understand that any violation of this agreement will result in disciplinary action.*  
Name of User (please print)                      Date                      Signature of User

**USD 489 Technology Loan Agreement  
Hays, Kansas**

1. The user agrees to follow all USD 489 regulations and policies governing the use of the computer as well as all applicable State and Federal laws including copyright and intellectual property law pertaining to software and information.
2. The computer is the property of USD 489. Therefore, USD 489 may terminate this loan agreement and ask for equipment to be returned for any reason. Equipment must be returned promptly when requested by school personnel. If the user withdraws from the school or employment is terminated prior to the end of the loan period, the computer is to be returned to school officials by the staff/student prior to withdrawal or resignation.
3. The user shall not remove or alter any USD 489 identification labels attached to or displayed on the computer, nor shall the user change identification within the computer, such as the computer name.
4. The user agrees to handle the computer carefully and protect it from potential sources of damage.
5. The user agrees to take care to keep the computer secure and safe. The user will assume the risk of loss by theft, destruction or damage. If, during the loan period, the computer is damaged in a manner not covered by warranty or returned with any accessories missing, USD 489 may charge the user the lesser of the repair or replacement or a \$250 deductible per incident. Any accidental damage not reported within 30 days of incident may cause the user to be charged the full repair or replacement cost up to the original purchase price of equipment. If the computer is stolen or vandalized, the district will cover all but the \$250 deductible, providing that a police report is filed about the incident. If a police report is not provided, the user will be charged replacement cost up to the original purchase price. By signing the loan agreement, the user agrees to be responsible for the deductible for each occurrence involving loss/damage to the computer, or the cost of repair for such damage, while in the user's possession.
6. The user must report theft (or suspected theft) of the computer, loss of the computer, damage to the computer, or malfunction of the computer to school personnel immediately.
7. Upon request, the user agrees to deliver the computer to USD 489 staff for technical inspection or to verify inventory or other information. This may include random screening. Computers may be monitored at any time and there is no right to privacy when using district technology.
8. Computers can be checked out for the summer for educational projects. The superintendent or principal will authorize check out for educational projects.
9. Equipment not returned by designated due date/withdrawal will accrue a late fee of \$5 per day. After five (5) consecutive days, if equipment is still not returned, it will be filed as missing and turned over to the proper authorities as felony theft.
10. USD 489 is not liable for lost data or time spent on data.
11. I have read and agree to abide by all USD 489 policies and regulations for the use of equipment including the Acceptable Use Policy Agreement and the Student Laptop Regulations. I accept responsibility for damage to or loss of the equipment listed below while in my possession. I understand that if the computer/loaner or any accessory is lost, damaged or stolen, I am responsible for the replacement cost or insurance deductible, whichever is less. I will report any damage to hardware or software immediately to designated school personnel and will return equipment promptly when requested by school personnel.

Item(s) loaned: \_\_\_\_\_

Signed: \_\_\_\_\_

***APPENDIX H***

Non-Discrimination Statement

**Hays Unified School District 489 Ellis County**

Unified School District 489, Ellis County, Hays, Kansas does not discriminate on the basis of race, color, national origin, sex, age, disability, or handicap in admission or access to, or treatment of employment in its programs and activities.

It is the intent of Unified School District 489, Ellis County, Hays, Kansas, to comply with both the letter and spirit of the law in making certain discrimination does not exist in its policies, regulations, and operations. Grievance procedures for Title IX and Section 504 have been established for students, their parents, and employees who feel discrimination has been shown by the local education agency.

If you have questions regarding the above, please contact the Title IX Coordinator or the Section 504 Coordinator:

**Office of the Superintendent of Schools**  
**323 West 12<sup>th</sup> Street**  
**Hays, Kansas 67601**  
**(785) 623-2400**

**APPENDIX K**  
**Employee Accident Report Form**

Name of Employee \_\_\_\_\_ Age \_\_\_\_\_ Sex \_\_\_\_\_  
*First Middle Last*

Home Address \_\_\_\_\_ ZIP \_\_\_\_\_

Social Security No. \_\_\_\_\_ Birthdate \_\_\_\_\_ Home Phone \_\_\_\_\_

Marital Status: \_\_\_ Single \_\_\_ Married \_\_\_ Divorced \_\_\_ Widow/Widower

Employee's Occupation \_\_\_\_\_ Working Hours/Day \_\_\_\_\_

Date of Injury \_\_\_\_\_ Time of Injury \_\_\_\_\_ A.M. \_\_\_\_\_ P.M.

Place of Accident \_\_\_\_\_ First Date of Disability \_\_\_\_\_

How did the accident occur and what was the cause? \_\_\_\_\_  
\_\_\_\_\_

What was the employee doing when injured? \_\_\_\_\_  
\_\_\_\_\_

Name of substance or object that directly caused injury? \_\_\_\_\_  
\_\_\_\_\_

Describe in detail the nature and extent of injury, and indicate part(s) of body involved. \_\_\_\_\_  
\_\_\_\_\_

What could be done to prevent this type of accident from happening again? \_\_\_\_\_  
\_\_\_\_\_

Name of witness to the accident \_\_\_\_\_

Was employee admitted to hospital? \_\_\_\_\_ Date \_\_\_\_\_ Emergency Room Only \_\_\_\_\_

Hospital and address \_\_\_\_\_

Name and address of attending physician \_\_\_\_\_

Have you returned to work? \_\_\_\_\_ If so, give date \_\_\_\_\_

**I verify that the above information is correct to the best of my knowledge.**

\_\_\_\_\_  
**Signature of Employee**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Principal/Supervisor**

\_\_\_\_\_  
**Date of Report**

\_\_\_\_\_  
**Signature of Person who reviews accident report**

\_\_\_\_\_  
**Date**

**Return Form to: Human Resources – RAC – 323 W. 12<sup>th</sup> Street – Hays, Kansas 67601 – (785) 623-2400**

## *Appendix L*

### *ASBESTOS*

Dear Parents, Students, and Staff:

The Asbestos Hazard Emergency Response Act (AHERA) was enacted in 1986 by Congress to determine the extent of and develop solutions for asbestos-related problems within our schools.

USD 489 has developed and affected an Asbestos Management Plan for all school facilities within the district. This plan meets all the requirements enacted by federal regulations.

The district began implementation of the Management Plan in January of 1989. A three-year re-inspection of all district facilities is required by federal regulation and is conducted by a certified asbestos inspector. A three-year re-inspection was done in 2013, and the next re-inspection is scheduled for spring 2016. Additionally, the district's Asbestos Program Manager conducts a semi-annual inspection. All asbestos conditions have been put into a non-friable state through removal or O&M repair. All repaired conditions will be managed in place through monitoring and inspections as indicated above. No additional removal is anticipated.

The Management Plan is available for your review in the main office of each school site and at the Rockwell Administration Center at 323 West 12<sup>th</sup> Street, Hays, Kansas. These records are available to the public upon request.

The district continues to welcome contact and comments from its patrons. We plan to take whatever steps necessary to ensure your children and employees of the district have a safe and healthy environment in which to learn and work.

*Appendix L*

**STATEMENT OF RECEIPT**

**TO:** Staff Members of Unified School District No. 489

**FROM:** Rusty Lindsay, Asbestos Management Supervisor

**RE:** Receipt of Asbestos Notification

My signature affirms that I have received a notice of asbestos containing materials in buildings of Unified School District No. 489.

My signature affirms that I understand that Inspection and Management Plans along with other required records are available in each school office as well as the Rockwell Administration Center at 323 West 12th Street, Hays, Kansas.

I understand that these records are available to the public upon request.

Please sign and return to the Human Resources office.

**Employee Signature:** \_\_\_\_\_

**Employee Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**School:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## *Appendix M*

### Bloodborne Pathogen Information

As a professional in our educational system you need to be aware of the potential dangers of bloodborne pathogens, which are diseases that may be carried in the blood. Examples are the Hepatitis B Virus (HVB), the Hepatitis C Virus (HCV) and the Human Immunodeficiency Virus (HIV or AIDS virus).

\*As required by OSHA, USD 489 has a plan, Exposure Control Plan for Bloodborne Pathogens, which works to reduce your risk of contracting a bloodborne disease while on the job. This plan is available from your school nurse or administrator.

\*Any employee experiencing a potential exposure to blood or other potentially infectious material must wash immediately with soap and water for several minutes and report the incident prior to the end of the school day to the building principal or supervisor and the school nurse.

\*Those employed in the following job classifications have a high risk of exposure to bloodborne pathogens. They will receive specific new employee training and will be offered the Hepatitis B Vaccination at no cost. All new employees in these job classifications need to promptly arrange a meeting with their school nurse.

School Nurses and Delegated First Aid Responders; Secretary to Health Services; Custodians; Athletic Trainer; First Aid Provider(s) for all athletic teams when trainer is not available; First Aid Provider(s) at each attendance center when the school nurse is not on site; Teachers, Professionals, and Paraprofessionals in Individual Instructional, Interrelated Self-Contained, and English as a Second Language (ESL) Classrooms; and Early Childhood and Head Start Direct Teaching Staff.

\*All other employees, not included in the high-risk category, will be required to attend annual training on bloodborne pathogens.

\*For further information see your school nurse. They have films, booklets, and protective equipment available, and can answer any questions you might have.

## *Appendix N*

### **DRUG-FREE WORKPLACE**

The use, possession, sale, distribution, dispensation or manufacturing of alcohol, illegal drugs, or any controlled substance, other than prescribed amounts of a prescription drug, during working hours on school property, or during school activities, or while operating school equipment or vehicles is prohibited by the district.

Reporting to work while impaired by the use of alcohol, illegal drugs or controlled substances or with any of those substances in the system is also strictly prohibited. Any violation of this policy may be grounds for immediate dismissal.

As a condition of employment in the district, employees shall: (1) abide by the terms of this policy; and (2) any employee who is convicted under a criminal drug statute for a violation occurring at the workplace shall notify the Superintendent of the conviction within 5 days after the conviction.

Within 30 days after a notice of conviction is received the school district will take appropriate action with the employee. Such action may include the initiation of termination proceedings, suspension, placement on probationary status, or other disciplinary action.

Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program.

The district shall keep employees informed of available district-sponsored drug and alcohol treatment and counseling programs.

Each employee of the District shall receive a copy of this policy.

All employees who are performing safety sensitive jobs for the district which require a commercial driver's license (CDL) as defined by the Omnibus Transportation Act of 1991 will be subject to drug and alcohol testing requirements as outlined in the district adopted plan. This plan is on file with the clerk of the board and is distributed to each appropriate employee in a safety sensitive position.

This policy incorporates the requirements of the federal regulations promulgated under the Drug-Free Workplace Act of 1988, Pub. Law 100-690, Sec. 5152 and the Omnibus Transportation Act of 1991. It is not intended to supplant or otherwise diminish disciplinary personnel actions, which may be taken under existing board policies or any negotiated agreements.



*Appendix O*  
**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 service member during a single 12-month period. A covered service member 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 service member medically unfit to perform his or her duties for which the service member 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.

*Appendix P*  
**CERTIFICATION OF HEALTH FOR SCHOOL PERSONNEL**

**K.S.A. 72-5213**

To be completed by the Applicant/Employee: (Form to become part of the personnel file)

Name \_\_\_\_\_ Social Security # \_\_\_\_\_

Address \_\_\_\_\_ Birthdate \_\_\_\_\_

Job Title \_\_\_\_\_ Worksite \_\_\_\_\_

Tuberculin Testing Results  
 (To be completed by Health Care Provider)

Tuberculosis has been ruled out by

Test	Administered	Read	Result
Mantoux/PPD	_____	_____	_____ mm induration (Negative) (Positive)
Chest X-Ray	_____	_____	(Negative/Positive)

Administered by \_\_\_\_\_

Read by \_\_\_\_\_  
 (Signature) (Health Facility)

**Provider's Statement**

I have, this date, examined \_\_\_\_\_ and find no evidence of any physical condition that would conflict with the health, safety, or welfare of the pupils or would prevent the individual from working in a safe and healthful manner. List limitations or restrictions, if any.

Comments \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 (Signature of Licensed Physician, Registered Physician's Assistant or Advanced Registered Nurse Practitioner)  
 (Exam Date)

\_\_\_\_\_  
 (Address)

**KSA 72-5213. Certification of health; (a)** Every board of education shall require all employees of the school district, who come in regular contact with the pupils of the school district, to submit a certification of health on a form prescribed by the secretary of health and environment and signed by a person licensed to practice medicine and surgery under the laws of any state, or by a person who is registered as a physician's assistant under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery, or by a person holding a certificate of qualification to practice as an advanced registered nurse practitioner under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery. The certification shall include a statement that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test

Rev. 02/02

**ACKNOWLEDGEMENT OF RECEIPT**  
**CLASSIFIED HANDBOOK**

As an employee of USD 489, I acknowledge that I have received an electronic copy of the classified handbook, revised October, 2017, which includes policies and procedures applicable to USD 489 employees who are designated as classified personnel.

My signature below also signifies that I have read the USD 489 classified handbook and agree to comply with the policies and procedures therein. The USD 489 Board of Education may modify these guidelines or amend or terminate any policies or procedures at any time. I accept the responsibility to keep myself informed of any changes made to the handbook.

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Employee Name (printed)

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Employee Signature and Date