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## PERSONNEL GOALS

The Board recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff.

The Board's specific personnel goals are:

1. To recruit, select, and employ the best qualified personnel to staff the school system;
2. To provide staff compensation and benefit programs sufficient to attract and retain qualified employees;
3. To provide programs for all employees to improve their performance and the overall rate of retention and promotion of staff;
4. To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance;
5. To deploy personnel so as to ensure their skills are used as effectively as possible;
6. To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction;
7. To help all employees realize that the efficient and courteous performance of their assignment has a positive impact on the public support of education in the district.

Re-Adopted:

**GENERAL REFERENCE POLICY**

It is the policy of this school district to respond only to written requests for reference information. The information which may be released includes the employee name, job title, salary and dates of employment.

This policy applies to current or former employees and should not reflect either negatively or positively on a specific employee. If an employee would like additional work-related information released, they would sign a release of information form provided by the Superintendent. Employees are in no way required to sign the release.

This release will be placed in your personnel file.

Re-Adopted:

## **EQUAL OPPORTUNITY EMPLOYMENT**

The Board subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that applicants are employed, assigned, and promoted without regard to their age, race, creed, color, sex, marital status, political affiliation, or national origin. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

## **STAFF ETHICS**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of the district are expected to maintain high standards in their school relationships. These standards include the following:

- The maintenance of just and courteous professional relationships with students, parents, staff members, and others.
- The maintenance of their own efficiency and knowledge of the developments in their fields of work.
- The transaction of all official business with the properly designated authorities of the school system.
- The establishment of friendly and intelligent cooperation between the community and the school district.
- Favorable representation of the school district at local events that are in recognition of the schools' contributions to the community.
- The placement of the welfare of children as the first concern of the school district, thus appointments to positions and promotion must be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- Restraint from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- Directing any criticism of other staff members or of any department of the school district toward the improvement of the school district. Such constructive criticism is to be made directly to the particular school administrator who has the administrative responsibility for improving the situation and then to the Superintendent if necessary.

Re-Adopted:

**VETERAN'S PREFERENCE**

If a veteran possesses the qualifications necessary to discharge the duties of the position involved, and is a citizen and resident of the state, the veteran shall receive preference for employment and promotion.

For the purposes of this policy, the term "veteran" means any person who:

1. Has served the full obligation for active duty, reserve, or National Guard services in the military, or received an early discharge for a medical condition, hardship, reduction in force, or at the convenience of the military; and
2. Has been separated or discharged from such service honorably or under honorable conditions.

In order to determine if the veterans' preference applies, each applicant for employment shall complete an employment application on which the applicant is asked if the applicant is a veteran. All veterans are subject to criminal background check requirements as set forth in state law.

An applicant wishing to be given veteran's preference must submit written verification from the military that the applicant satisfies the definition of veteran as set forth above.

Age, loss of limb, or other physical impairment which does not in fact incapacitate does not disqualify the veteran. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran.

The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the preference given to the veteran if the spouse possess the qualifications and business capacity necessary to discharge the duties of the position involved. If a veteran is disabled due to a service connected cause is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preferences given to the veteran if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

If a veteran applies for appointment for employment under this policy, the District shall, before employing anyone to fill the position, investigate the qualifications of the applicant. If the applicant possesses at least the minimum qualifications necessary to fill the position, the officer, board, or person shall interview the applicant. However, nothing within this policy requires the school district to hire a veteran interviewed.

At the conclusion of the hiring procedure and protocol, should a veteran and nonveteran be equally qualified for the position, the veteran shall be granted veteran's preference and shall be offered employment in the position.

A veteran may be removed for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of the employee or appointee to a review pursuant to law.

LEGAL REFS.: SDCL 3-3-1; 3-3-4; 3-3-6; 3-3-7; 3-3-8  
SDCL 13-10-12  
SDCL 33A-2-1

Adopted:

**STAFF CONFLICT OF INTEREST**

Employees of the Board will not engage in nor have a financial interest, directly or indirectly, in any activity that conflicts (or raises a reasonable question of conflict) with their duties and responsibilities in the school system.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Employees will not sell textbooks, instructional supplies, equipment, reference books, or any other school products to the schools in the district. They will not furnish the names of students or parents to anyone selling these materials.

In order that there is no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of an employee who is related to him or her who is within the third degree of consanguinity or is his or her spouse.

Neither the spouse of a Board member, nor any person who is related to a Board member within the third degree of consanguinity, will be employed in the district, except by a unanimous vote by the Board.

Re-Adopted:

## **STAFF CONDUCT**

All staff members have a responsibility to familiarize themselves with and abide by the laws of the State as these affect their work, the policies of the Board, and the regulations designed to implement them.

In the area of personal conduct, the Board expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school district, but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

- Faithfulness and promptness in attendance at work;
- Support and enforcement of policies of the Board and regulations of the school administration in regard to students;
- Diligence in submitting required reports promptly at the times specified;
- Care and protection of school property.
- Concern for and attention to their own and the school district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

Re-Adopted:

## **SEXUAL HARASSMENT**

It is the district's policy that sexual harassment is illegal, unacceptable and shall not be tolerated; that no employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination or expulsion for violation of this policy. Sexual harassment can arise between employees, by an employee to a student and student to student. All forms are subject to this policy.

### DEFINITION

Any unwelcome sexual advances, solicitation or sexual activity by promise of rewards, coercion of sexual activity by threat of punishment, verbal sexist remarks, or physical sexual assaults constitute sexual harassment. This conduct can have the effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.

### EXAMPLES

Some examples of sexual conduct are:

1. Sexual advances.
2. Touching of a sexual nature.
3. Graffiti of a sexual nature.
4. Displaying or distributing sexually explicit drawings, pictures or written materials.
5. Sexual gestures.
6. Sexual or "dirty" jokes.
7. Pressure for sexual favors.
8. Touching oneself sexually or talking about one's sexual activity in front of others.
9. Spreading rumors about or rating other students as to sexual activity or performance.

Not all physical conduct would be considered sexual in nature.

Some examples of non-sexual conduct are:

1. A high school athletic coach hugging a student who made a goal.
2. A kindergarten teacher's consoling hug for a child with a skinned knee.
3. One student's demonstration of a sports move requiring contact with another student.

### RESPONSIBILITY

School district officers, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. Workshops and activities will be provided by the school district to explain the policy and laws. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of the policy will be available at all administrative offices.

## COMPLAINTS

1. **Employees.** Any employee who believes that he or she has been a subject of sexual harassment by a district employee, **student**, or officer should report this incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the supervisor's immediate supervisor.
2. **Students.** A student who believes he or she has been sexually harassed (or a parent or guardian who believes that his or her child has been harassed) should immediately report it to a responsible school official. This could be a teacher, principal, faculty member, administrator, campus security officer, affirmative action officer, staff in the office of student affairs, or the school's Title IX coordinator.
3. **Investigation.** All reported incidents will be thoroughly investigated **by the Superintendent or designee** and subject to disciplinary action. While absolute confidentiality cannot be guaranteed, confidentiality consistent with due process will be strictly maintained. Criminal acts must be reported to law enforcement authorities. An employee or student may file a written complaint because of dissatisfaction with the handling of a harassment complaint and may utilize any applicable grievance procedure for the purpose.

Re-Adopted:

**FREEDOM OF EXPRESSION**

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (*Garcetti v. Ceballos*).

Re-Adopted:

## **SEARCH AND SEIZURE**

All district property, including, but not limited to, real estate, buildings, offices, desks, storage areas, lockers, computer systems and equipment, voice-mail, and vehicles, is owned by the district, and is intended for educational purposes, and district business, at all times.

Neither staff members, nor students, shall have any expectation of privacy when using school property. The district reserves the right to monitor, inspect, copy, review and store (at any time and without notice) all usage of district property including computer and computer systems, including all internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed and/or received through district computers and computer systems shall remain the property of the school district.

System users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored in district-owned computers or on the district system or within the physical area of the district. School officials reserved the right to review district system/property use at any time to determine if such use meets the criteria set forth in school board policies and district regulations. Routine maintenance and monitoring of the system and physical plant may lead to the discovery that the user has or is violating district policy or law. Once a problem is discovered, an individual search may be conducted. The search/investigation will be reasonable and will be in keeping with the nature of the alleged misconduct.

Employees or students violating acceptable use of district property, or policy, may be subject to disciplinary action by the Superintendent or designee, depending on the nature of the violation.

Re-Adopted:

## **EMPLOYEE USE OF NETWORKING SITES**

Technology will be used to complement and foster public education. Utilization by employees must not distract from or disrupt the educational process. Proper decorum is the standard of conduct expected of a professional. That standard will apply to the use of technology and social networking sites.

The Superintendent will ensure that staff members are reminded and informed of the importance of maintaining proper decorum when using technology as well as in person.

Proscribed conduct includes:

- Improper fraternization with students.
- Listing students as friends on networking sites.
- Staff members providing private phone numbers without prior approval of the district.
- Inappropriate email or phone contact with students.
- Posting items containing inappropriate sexual content.
- Posting items exhibiting or advocating illegal use of drugs or alcohol.

Electronic contacts with students will be through the district's property except in the case of an emergency.

All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy, in which case the messages will be copied to the athletic director and the school principal.

The administration will monitor improper use of technology, and impose sanctions including dismissal from employment. Employees have no expectation of privacy with respect to utilization of district property nor engagement in social networking sites.

Re-Adopted:

## EMPLOYEE ACCEPTABLE USE POLICY

### Section One: Introduction and Expectations

1. Elk Point-Jefferson School District technology resources will be used exclusively for educational purposes.
2. The use of district technology is a privilege, not a right. Network accounts and storage have been provided by the district for employee use. Both remain the property of the District and may be revoked for any or no reason.
3. Users of Elk Point-Jefferson technology resources have no reasonable expectation of privacy.
4. All staff will, as a condition of employment, read, understand and adhere to the Elk Point-Jefferson School District's Acceptable Use Policy.

### Section Two: Elk Point-Jefferson District Technology Resources

1. Local Area Network
  - a. Computer access is a privilege, not a right.
  - b. Network accounts have been established for employees. Accessing another user's network account is a violation of the Elk Point-Jefferson Acceptable Use Policy.
  - c. All users are required to store their files in their home directory located on the network file server.
    - i. Employees are expected to use good judgment when using district printers. Print quotas may be implemented for any or no reason.
    - ii. Employees are encouraged to print to networked copy machines whenever feasible.
  - d. Inappropriate uses of the Elk Point-Jefferson network include, but are not limited to the following examples.
  - e. Attempting to log in as another user.
  - f. Using another employee's password
  - g. Attempting to violate network security
  - h. Plagiarizing
  - i. Tampering with computer software
  - j. Attempting to install software on district computers
1. Email
  - a. Access to email is a privilege, not a right.
  - b. All employees are expected to regularly check their email account.
  - c. Employees are provided with an email account hosted by the South Dakota K12 Data Center. The use of web mail accounts (Hotmail, Yahoo mail, etc.), or any other personal email account is not allowed.
  - d. Employees are "electronic" representatives of the Elk Point-Jefferson School District. Educationally appropriate language should be used when composing school-related email.
  - e. Email is not guaranteed to be private. Employees must be aware of FERPA regulations when student information is included in email.
  - f. Examples of inappropriate use of district email include, but are not limited to the following examples:
    - "Chain" letters
    - Dissemination of religious, social or political views
    - Harassment
    - Threatening email
    - Use of district email for financial gain

2. Telephone System
  - a. Personal long distance telephone calls billed to the district are not permitted. A calling card should be used when making personal long distance calls.
  - b. Employees must not share their PIN with anyone. Employees are responsible for all calls billed against their PIN.
  - c. Students are not permitted to use classroom telephones.
3. Software
  - a. Personal software will not be installed on district computers.
  - b. The download and installation of software is not allowed. This includes, but is not limited to screen savers, games and web browser plug ins.
  - c. Software will be installed with the prior approval of the network administrator.
  - d. Only the network administrator or designee will install software on district computers.
4. Security
  - a. Personal technology equipment will not be allowed to connect to the District's wired or wireless computer network.
  - b. Personal technology equipment includes, but is not limited to:
    - Desktop computers
    - Laptop computers
    - Portable devices such as Palm Pilots, Ipaqs, etc.
6. Printers
  - a. The Federal Family Educational Rights and Privacy and Privacy Act (FERPA) prevents the unauthorized release of student records. For this reason, all teachers are required to (1) log out of Infinite Campus or (2) lock their keyboard when leaving their computer unattended.
7. Cell Phones
  - a. Cell phones must be turned off during instructional time.
  - b. Cell phones are not allowed in locker room or dressing areas.
  - c. Camera phones are not allowed in the Elk Point-Jefferson School buildings.

#### Section Three: District/School Web sites

1. Personal homepages on the district website are provided for all employees. These homepages should be regularly updated.
2. Assignment pages on the district website are made available to all teaching staff and should be regularly updated. The frequency of updates will be determined by the respective building principal.
  - a. District employees must be cognizant of the requirements of FERPA.
    - No personally identifiable student identification is allowed on district web pages. This includes student names and identifiable student photographs.
    - Student addresses and telephone numbers cannot be published on Web Pages.

#### Section Four: Copyright

1. Users of Elk Point-Jefferson technology are responsible for avoiding copyright issues.
2. Users are expected to adhere to the Elk Point-Jefferson copyright policy.

Section Five: Internet Access

1. In compliance with the Children’s Internet Protection Act, the Elk Point-Jefferson District has installed a content filtering device (Sonic Wall).
2. All Internet traffic must pass through the Sonic Wall. Any attempt to bypass content filtering is a violation of this acceptable use policy.
3. All outgoing Internet traffic must pass through the Elk Point-Jefferson Intranet page.
4. Staff members who feel that a web site has been incorrectly blocked, should contact the network administrator.

Section Six: Violations/Penalties

1. Elk Point-Jefferson employees must be aware that misuse of district technology may result in penalties which may or may not include the following:
  - a. Written notification, referral, and/or documentation of offense which will be placed in the employee’s permanent file.
  - b. Loss of Internet privileges
  - c. Loss of computer privileges
  - d. Legal action and prosecution by authorities
  - e. Termination and loss of employment

Section Seven: Disclaimers

1. The Elk Point-Jefferson School District retains the right to revoke computer and Internet access for any or no reason.
2. The Elk Point-Jefferson School District retains the right to revoke email and voice access for any or no reason.
3. The Elk Point-Jefferson School District retains the right to monitor network and email use.
4. All staff must sign this agreement prior to receiving a network account.

I have read, understand and agree to adhere to the Elk Point-Jefferson Technology Acceptable Use Agreement.

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Name (Please Print)

Signature

Date

Re-Adopted:

**STAFF HEALTH AND SAFETY**

The Board may require an employee returning from an extended leave of absence for health reasons to submit a certification of health. The expense of this examination will be borne by the district.

WORKERS' COMPENSATION

In case of injury while pursuing duties in keeping with the employee's contract, the employee will receive compensation and expenses as prescribed by the worker's compensation law of South Dakota.

Any employee who receives an injury while at work should immediately report this injury to the Superintendent's office and request the necessary forms to make application for payment under this law.

Re-Adopted:

**EMPLOYEE COMMUNICABLE DISEASES**

The board recognizes its responsibility to provide a clean and healthy environment for students and school employees.

The determination of whether an infected employee be excluded from work activities shall be made on a case-by-case basis, under the direction of the principal/building administrator or designee.

In situations where the decision requires additional knowledge and expertise, the principal will refer the case to an advisory committee for assistance in determining the proper course of action. The advisory committee may be composed of:

1. a representative from the State Health Department;
2. the employee's physician;
3. the employee and/or designee;
4. the school health service's supervisor;
5. the superintendent or designee; and
6. other appropriate school personnel.

In making the determination, the advisory committee shall consider:

1. the physical condition of the school employees;
2. the expected type(s) of interaction with others in the school setting;
3. the impact on both the infected school employee and others in that setting;
4. the South Dakota Department of Health guidelines and policies;
5. the status of certification of health of the employee under South Dakota Law;
6. the recommendation of the County Health Officer, which may be controlling;
7. information regarding the infected employee, which is, deemed part of his/her personnel records, therefore is classified as "Confidential".

The advisory committee may officially request assistance from the State Department of Health.

If employment of an infected employee is to be interrupted or discontinued, the employee will be entitled to use available medical leave and receive available benefits.

Public information will not be revealed about the employee who may be infected. If the employee is permitted to remain in the school setting, the principal, will provide, as appropriate to school employees who have regular contact with the employee, as to the employee's medical condition and other factors needed for consideration in carrying out job responsibilities.

Health guidelines for work attendance are established and interpreted with the context of the case. The guidelines are not inclusive but are available to be used as a resource. School personnel will refer to school health professionals for specific judgments in interpreting the guidelines.

Instructions in appropriate handling of blood and body fluids will be provided. Hand washing after contamination, food preparation and health/hygiene care performed in different sink and work areas, maintenance cleaning and other personal hygiene measures are part of creating a healthy environment.

Specific health concerns may require the advisory committee to make a determination on school attendance or participation in school activities.

Re-Adopted:

### EMPLOYEE COMMUNICABLE DISEASE GUIDELINES

Health guidelines for work attendance are established and interpreted with the context of the situation. The guidelines are not inclusive but are available to be used as a resource. Specific needs will be addressed individually. School personnel will refer to school health professionals for specific judgments in interpreting the guidelines.

<b>Disease and Incubation Period*</b>	<b>Rules for Work Attendance</b>
Acquired Immune Deficiency Syndrome (AIDS) *6 months-five years	Determination should be made by the Advisory Committee as outlined in the Disease Policy. The State Department of Health Guidelines on AIDS shall be used as reference.
Chicken Pox *14-21 days	The employee may attend work after all pox are dry and scabbed.
Cytomegalovirus (CMV) Salivary Gland Viruses	The employee may attend work. Precautions should be taken by contacts with immunosuppression as anti-cancer or organ transplants as well as anyone with suspected or known pregnancy. Good hand washing in all cases should eliminate risk of transfer of infection.
Giardiasis and Infectious Enteric Diseases *5-25 days or longer	The employee may attend work. Food handlers must remain at home until they have three negative stool specimens. Good hand washing in all cases should eliminate risk of transfer of infection.
Herpes Simplex *2-12 days	The employee may attend work during an active case. Good hand washing in all cases should eliminate risk of transfer of infection.
Impetigo variable *4-10 days	The employee may attend school if under treatment and covered or dry.
Infectious Hepatitis *15-40 days (Average 25 days)	The employee may attend work as directed by the physician. Appropriate personal hygiene precautions should eliminate risk of transfer of infection.
Measles (Red, Hard, Rubeola, 7-day) *8-14 days	The employee may attend work after a minimum of seven (7) days. Employees who have had contact with measles may attend work if the employee has had the measles or if immunization is up to date.
Infectious Mononucleosis (Glandular Fever) *2-6 weeks	The employee may attend work as directed by the physician.
Mumps *12-21 days	The employee may attend work after swelling has disappeared.
Pediculosis (Lice)	The employee may attend work after treatment.
Pertussis (Whooping Cough) *7-10 days; may range from 4-21 days	For confirmed cases, exclude until 5 days of appropriate antibiotic has been completed.
Pink Eye (Conjunctivitis) *5-12 days	The employee may attend work after the eye is clear, under treatment or with physician's written permission.

Planter's Wart	The employee may attend work.
Ring Worm (Scalp, Body, Athlete's Foot) *14-21 days	The employee may attend work if area is under treatment.
Rubella (3-day, German Measles) *14-21 days	The employee may attend work after a minimum of four days. Prevent exposure of pregnant women.
Scabies (7-year itch, Mites)	The employee may attend work after treatment.
Streptococcal Infections (Scarlet Fever, Scarletina, Strep Throat) *1-3 days	The employee may attend work 24 hours after initiating oral antibiotic therapy and clinically well.

All communicable and chronic disease should be reported to Health Services.

\*Time interval between initial contact with an infectious agent and the first sign of symptom of the disease.

Re-Adopted:

**USE OF ALCOHOL AND OTHER DRUGS BY EMPLOYEES  
DRUG FREE WORKPLACE**

Student and employee safety is a paramount concern to the school board. Employees under the influence of alcohol and/or other drugs are a serious risk to themselves, to students, and to other employees. Therefore, the school board will not tolerate the unlawful manufacture, use, possession, sale, distribution, or being under the influence of alcohol and/or other drugs. Any employee who violates this policy will be subject to disciplinary action, which may include dismissal, and referral for prosecution. Each employee of the district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and will report to the superintendent any criminal alcohol and/or other drug statute convictions for any alcohol and/or drug violation. Such notification must be made by the employee to the superintendent no later than five (5) days after conviction. Should the affected employee be the superintendent s/he will report to the Board no later than the next regular meeting of the Board.

Within thirty (30) days after receipt of information concerning an alleged or proven violation(s) of this policy, the district will take appropriate disciplinary action, which may include termination of employment, requiring the employee to participate in alcohol and/or other drug abuse assistance or rehabilitation programs, and possible referral for prosecution.

All employees will attend a district alcohol and/or drug-free awareness program at which employees will be informed about the dangers of alcohol and/or other drug use/abuse, this policy of maintaining an alcohol and/or other drug-free environment, available alcohol and/or other drug counseling; rehabilitation, and employee assistance programs; and the disciplinary sanctions that may be imposed upon employees for alcohol and/or other drug use or abuse violations. The information will be disseminated to each employee via written and oral communication.

The school board recognizes that employees who have an alcohol and/or other drug use/abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be provided a listing of the regional treatment facilities or agencies to assist him/her in their choice of a service provider.

When a staff member has consumed alcoholic and/or illegal drugs off school property and/or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Staff members who violate this regulation will be subject to the same disciplinary sanctions, as for possession or consumption on school property.

The school board hereby commits itself to a continuing good faith effort to maintain a drug-free environment.

A copy of this policy shall be given to all present and future employees.

Re-Adopted:

**STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

The Board recognizes that employees of the district have the same fundamental civic responsibilities and privileges as other citizens. Among these are: campaigning for elective public office and holding an elective or appointive public office.

Any employee who intends to campaign for an elective public office will notify the Superintendent, in writing at the earliest possible moment, of the office which he or she intends to seek, together with the decision as to whether he wishes to continue employment and under what terms and conditions.

The Superintendent will meet with and discuss these matters with the employee involved and will present a proposed solution to the Board for consideration. The essential element to be determined by the Board is whether the activities proposed by the employee are compatible with the time requirements for fulfilling the employee's responsibilities to the district.

In connection with his or her campaigning, no employee will use school system facilities, equipment, or supplies; nor will the employee discuss his or her campaign with students or with school personnel during the working day; nor will the employee use any time during the working day for campaigning purposes.

A teacher seeking an extended leave of absence for campaigning, office-holding, or other time-consuming activities connected with government service will apply for such leave in writing. The Board will provide the teacher with a written answer to a request for political leave including salary arrangements.

If not elected, the employee may return to the position previously held.

Re-Adopted:

## **DISTRICT INVOLVEMENT IN POLITICAL ACTIVITY**

The Board believes in the importance of democracy in American society and advocates political participation as an act of self-governance. In this spirit, the Board recognizes the rights of district employees, as private citizens, to be involved in local, state and federal political activities, and encourages politically related material, discussions and projects in the classroom with the intent to teach students about democracy.

For the purpose of educating voters and lawmakers, the Board will provide information on ballot questions. The Board authorizes the superintendent or superintendent's designee to communicate such information to citizens, media sources, public officials or candidates running for office as the superintendent or designee deems appropriate.

However, the board prohibits the following actions:

1. Use of an official school title to endorse or oppose candidates running for elected office, a political party or a proposition, referendum or issue being voted upon by the electorate;
2. Use of district funds to support or oppose a candidate running for elected office, a political action committee, a political party or a proposition, referendum or other ballot issue;
3. Distribution or posting of material which supports or opposes any candidate, political party or action committee, or proposition, referendum or other ballot issue on school property during school hours; and
4. Use of school facilities by candidates, their representatives, political parties, or political action committees.

### SCHOOL AS POLLING PLACE

In the case that a public school building is used as a public polling place, candidates, their representatives, members of a political party or political action committee or citizens acting in support or opposition to a ballot question may hand out literature or speak with prospective voters as long as this is done outside a 100-foot radius of the entrance to the polling place.

The Board authorizes the superintendent to create any necessary regulations to implement this policy.

Re-Adopted:

## **STAFF GIFTS AND SOLICITATIONS**

### GIFTS

Students, parents, and other district residents and taxpayers will be discouraged from the presentation of gifts to teachers and other district employees. The routine giving of gifts to teachers by students--or to students by teachers--will not be permitted at any time, including Christmas.

The presentation of gifts to, and the arrangement of social affairs for, employees leaving the system for reasons other than retirement will be governed by the following policy:

1. Each building principal will appoint, or the employees may volunteer, for a small social committee to plan social affairs such as teas and luncheons.
2. Any gifts to be presented to departing employees by their respective groups will be at the discretion of the group involved.

### SOLICITATIONS

The Superintendent will annually approve all solicitations that are to be permitted in the schools. No organization may solicit funds of staff members in the schools, nor may anyone distribute flyers or other materials related to fund drives through schools, without the approval of the Superintendent.

Employees may not be engaged in the sale of products to the schools, even if the proceeds of such sales are intended for charitable or civic purposes; nor will staff members collect any money or distribute any fund-raising literature without the express approval of the Superintendent.

Re-Adopted:

## PERSONNEL RECORDS

### *THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT*

A file of personnel records shall be maintained in the Superintendent's office for each employee of the School District. A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration as specified by state and federal laws.

### CONFIDENTIALITY

Personnel information concerning district employees is generally confidential and may be reviewed only on a "need to know" basis under conditions which guarantee management's right of access to information necessary to make judgments and the protection of the employees of the district against unnecessary invasion of privacy. Some personnel information is "public record" and must be released to any person upon request.

The Superintendent shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical, or similar files, if the Superintendent reasonably believes disclosure would invade the employee's privacy. The records will be disclosed unless written objection is received from the employee or the employee's collective bargaining representative, within seven business days from the receipt by the employee or the collective bargaining representative.

Records of an employee's evaluation shall not be released without the written consent of the employee.

Files containing medical information regarding an employee will be kept separate from other personnel files.

### TYPES OF INFORMATION

It shall be the responsibility of each certificated employee to see that there is filed with the district any record of prior teaching experience. In addition, if the teacher has rendered military service, the proof of discharge from the service must be furnished. It is the obligation of the employee to see that information, which will maintain the employee's personnel file on a complete and up-to-date basis, is sent to the Superintendent's office. The records shall contain the following information:

1. The correct name and the current address and telephone number of the employee;
2. An accurate record of the work experience of the employee;
3. Current data on education completed, including the transcripts of all academic work;
4. Proof of requirements fulfilled in order to be eligible for salary;
5. Current data on credentials;
6. Any current data requested concerning the health of the employee, or medical examinations which the employee may have undergone;
7. Records of assignment;
8. Evaluations of performance;
9. Letters of commendation, reprimand, or omission of duty;
10. Other materials mutually agreed upon between the principal and the teacher or supervisor and employee.

### USE OF PERSONNEL RECORDS

All the contents of the personnel records file, with the exception of evaluations, comments, or recommendations provided to the district on a confidential basis by universities, colleges, or persons not connected with the district, shall be available for inspection by the employee concerned. The district reserves the right to have a member of the Superintendent's office staff present at the time the employee inspects his or her personnel file for the purpose of explaining and interpreting the information therein. Similarly, at the time the record is reviewed, the employee shall have the right to have a representative of his or her own choosing present, if desired.

The employee shall have the right to respond to all materials contained in the personnel file and to any materials to be placed in the file in the future. Responses shall become part of the file.

Any complaints directed towards an employee, which are placed in the personnel file, are to be promptly called to the employee's attention in writing.

### PARENTAL NOTICE

If the school district receives Title I funds, the No Child Left Behind Act requires the district to provide parents with notice that they may request information about the professional qualifications of classroom teachers. The notice to parents must include the following:

1. Whether the teacher has met state qualifications for the grade levels and subject areas taught;
2. Whether the teacher is teaching under emergency or other provisional status;
3. The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area(s) of the certification or degree;
4. Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

If a parent requests the above-listed information, the district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught a child for four or more weeks, the district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified.

Re-Adopted:

## **STAFF COMPLAINTS AND GRIEVANCES**

The Board will encourage the administration to develop effective means for resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and the Board.

Grievance procedures should provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and each employee should be assured opportunity for an orderly presentation and review of complaints and concerns. Channels established will provide for the following:

1. That teachers and other employees may appeal a ruling of a principal or other administrator to the superintendent;
2. That all school employees may appeal a ruling of the superintendent to the Board.

The procedures established for the resolution of grievances in agreements negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular agreement.

Re-Adopted:

**STAFF COMPLAINTS AND GRIEVANCES  
(Procedures)**

**Article I: Definitions**

- A "grievance" is a complaint by a person or group of persons employed by the Elk Point-Jefferson School District 61-7, made either individually or by a duly authorized and recognized employee association through its representative, that there has been a violation, misinterpretation or inequitable application of any existing agreement, contract, policy, rule, or regulation of the School Board. Negotiations for, or a disagreement over, a non-existing agreement, contract, policy, rule, or regulation is not a "grievance."
- An "aggrieved person" is the person or group of persons filing the grievance.
- "Board" means the School Board of the district.
- "Days" shall mean calendar days unless otherwise specified.

**Article II: Purpose**

The purpose of this procedure is to secure, **at the lowest possible level**, equitable solutions to the problems which may from time to time arise between employees and the district and to facilitate this purpose these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.

Nothing herein contained shall be construed as limiting the rights of any employee having a grievance to discuss the matter informally with any appropriate member of the administration, and having the grievance adjusted without the intervention of the employee association, provided the adjustment is not inconsistent with the terms of any settlement with the employee association then in effect. The employee or the administrator involved in the grievance may be represented by a representative at such an informal discussion only by the mutual consent of the employee and the appropriate member of the administration.

**Article III: Procedure**

- It is important the grievances be processed as rapidly as possible. The number of days indicated at each level shall be the maximum and every effort should be made to expedite the process.
- If appropriate action is not taken by the employee within the time limit specified, the grievance will be deemed settled on the basis of the disposition at the preceding level. The time limits specified herein may be extended by mutual agreement, provided the time extension is requested within the time limits provided in the Article.
- If an employee does not file a grievance in writing with the principal or other supervisor within 10 calendar days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.
- A supply of the grievance forms shall be on file with the building principal, and/or the immediate supervisor.

**Article IV:** Informal Procedures

If an employee feels he/she has a grievance, he/she shall first discuss the matter with his/her supervisor, principal or other administrator, to whom he/she is directly responsible in an effort to resolve the problem.

**Article V:** Formal Procedures

LEVEL ONE - School Principal, Immediate Supervisor or Other Administrator

- If an aggrieved person is not satisfied with the disposition of his problem through informal procedures, he /she shall submit his grievance in writing.
- Signed copies of the written grievance shall be delivered by the employee to each of the following: supervisor, principal or other administrator, the Superintendent of schools, and the president of the School Board.
- An employee who is not directly responsible to a building principal may submit his/her formal written grievance to the administrator or supervisor to whom he/she is directly responsible.
- The administrator, within five days of the filing of the grievance shall render his/her decision in writing to the aggrieved person.

LEVEL TWO - Superintendent of Schools

- If an aggrieved person or the Board is not satisfied with the decision concerning his/her grievance at Level One, or if no written decision has been rendered within five days, he/she shall, within three days after the decision is rendered, or within eight days after filing at level one, resubmit his/her grievance in writing to the Superintendent of schools.
- The Superintendent of schools shall within five days from the filing of the written grievance meet with the aggrieved person for the purpose of resolving the grievance. The Superintendent shall, within five days after this meeting render his/her decision in writing to the aggrieved person.

LEVEL THREE - Board of Education

- If the aggrieved person or the Board is not satisfied with the disposition of the grievance at Level Two, or if no written decision has been rendered within five days, he/she shall within five days thereafter resubmit the grievance to the business manager and the president of the Board.
- At its next meeting, or at a time mutually agreed upon by the parties, the Board or its designated agent shall hold a hearing on the grievances. The decision of the Board shall be rendered in writing within five days after the hearing.

LEVEL FOUR

If the aggrieved person is not satisfied with the disposition of the grievance at Level Three or if no written decision has been rendered within the time period set forth in the preceding paragraph, he/she may, within 10 days after receipt of the written decision is due, whichever is earlier, appeal to the Department of Labor, pursuant to statute. The inclusion of this paragraph in this grievance procedure shall not constitute a waiver by either party of its rights to dispute the authority of the Department of Labor to hear the appeal and/or render any particular decision.

**Article VI: Miscellaneous**

- If, in the course of investigation of any grievance by representatives of the complainant, such investigation requires their presence in a school building; they shall report immediately to the principal of such building being visited and state the purpose of the visit.
- Interruption of regularly assigned classes or activities shall be avoided and students shall not be included in any phase of the grievance procedure except with the mutual consent of both parties.
- Any party or parties in interest shall appear and may be represented at formal Levels One and Two of the grievance procedure by one representative. When the representative is not a member of the employee organization, the employee organization shall have the right to have one spokesperson present and to have that spokesperson state its views at the formal Levels One and Two of the grievance procedure except when the aggrieved person specifically requests the exclusion of all but the parties in interest and their respective representatives. At Level Three a maximum of three representatives, one of whom will be the spokesperson, may represent the aggrieved person or persons involved in a grievance.
- If, in the judgment of the employee organization a grievance affects a group or class of employees, the organization may submit such grievance in writing to the Superintendent directly and the processing of such a grievance shall be commenced at Level Two. The employee organization shall designate not more than two spokespersons for the organization in processing such a grievance through the remaining levels of the grievance procedure. Provided, however, that the employee organization shall not be permitted to file or process a grievance with respect to an incident or occurrence on which an employee or group has already initiated a grievance.
- Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this grievance procedure. The vote on the Board's decision on Level Three grievances shall be made in open session but the name of the aggrieved party shall not be disclosed.
- When it is necessary for a party or parties in interest to attend a board meeting or a hearing called during the working day, the Superintendent's office shall so notify the party or parties in interest, principals or immediate supervisor, and the party or parties in interest shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.
- At all hearings conducted under this procedure, the aggrieved person and the administrative representative may call witnesses and present evidence that is relevant to the matter being considered. The Board may request that other witnesses be called for questioning by the parties.

Re-Adopted:

## **PROFESSIONAL STAFF POSITIONS**

All professional staff positions in the school district will be created initially by the Board. It is the Board's intent to activate a sufficient number of positions to accomplish the school district's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Board may abolish a position it has created.

Each time a new position is established by the Board, the Superintendent will present for the Board's approval a job description for the position, which specifies the job holder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

Re-Adopted:

**JOB DESCRIPTION: TEACHER**

**TITLE:** Teacher

**QUALIFICATIONS:**

1. Teacher's certificate.
2. [Degree(s) required and area of major study]
3. [Kind and amount of prior job experience required.]
4. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

**REPORTS TO:** Person designated by the Board or the Superintendent.

**SUPERVISES:** Staff members designated by the Board or the Superintendent.

**JOB GOAL:** To help students learn subject matter and skills that will contribute to their development as mature, able, and responsible men and women.

**PERFORMANCE RESPONSIBILITIES:**

1. Meets and instructs assigned classes in the locations and at the times designated.
2. Plans a program of study that, as much as possible, meets the individual needs, interests, and abilities of each of the students.
3. Creates a classroom environment that is conducive to learning and appropriate to the maturity and interests of the students.
4. Prepares for classes assigned, and shows written evidence of preparation upon request of immediate superior.
5. Encourages students to set and maintain standards of classroom behavior.
6. Guides the learning process toward the achievement of curriculum goals and--in harmony with the goals--establishes clear objectives for all lessons, units, projects and the like to communicate these objectives to students.
7. Employs a variety of instructional techniques and instructional media, consistent with the physical limitations of the location provided and the needs and capabilities of the individuals or student groups involved.
8. Strives to implement by instruction and action the district's philosophy of education and instructional goals and objectives.
9. Assesses the accomplishment of students on a regular basis and provides progress reports as required.
10. Diagnoses the learning disabilities of students on a regular basis, seeking the assistance of district specialists as required.

11. Takes all necessary and reasonable precautions to protect students, equipment, materials, and facilities.
12. Maintains accurate, complete, and correct records as required by law, district policy, and administrative regulation.
13. Assists the administration in implementing all policies and/or rules governing student life and conduct, and, for the classroom, develops reasonable rules of classroom in a fair and just manner.
14. Makes provision for being available to students and parents for education related purposes outside the instructional day when required or requested to do so under reasonable terms.
15. Plans and supervises purposeful assignments for teacher aide(s) and/or volunteer(s) and, cooperatively with department heads, evaluates their job performance.
16. Strives to maintain and improve professional competence.
17. Attends staff meetings and serves on staff committees as required.
18. Supervises extracurricular activities as assigned.

Re-Adopted:

**JOB DESCRIPTION: PRINCIPAL**

**TITLE:** Principal

**QUALIFICATIONS:**

1. Certificate required.
2. Degree(s) required.
3. Kind and amount of prior job experience required.

**REPORTS TO:** Person designated by the Board or the Superintendent.

**SUPERVISES:** Staff members designated by the Board or the Superintendent

**JOB GOAL:** To use leadership, supervisory, and administrative skills so as to promote the educational development of each student.

**PERFORMANCE RESPONSIBILITIES:**

1. Interprets and enforces district policies and administrative regulations.
2. Participates in the selection and supervision of all school personnel.
3. Leads in the development, determination of appropriateness, and monitoring of the instructional program.
4. Organizes and administers the public relations program for his school.
5. Supervises the daily use of the school facilities for both academic and nonacademic purposes.
6. Provides for adequate inventories of property under his jurisdiction and for the security and accountability for that property.
7. Approves the master teaching schedule and any special assignments.
8. Prepares and administers the school budget and supervises school finances.
9. Supervises the maintenance of all required records and reports.
10. Maintains active relationships with students and parents.
11. Supervises all activities and programs that are outgrowths of the school's curriculum.
12. Assumes responsibility for all official school correspondence and news releases.
13. Serves as a member of such committees and attends such meetings as the Superintendent shall direct.

14. Serves as an ex officio member of all committees and councils within his school.
15. Responds to written and oral requests for information.
16. Keeps his supervisor informed of events and activities of an unusual nature as well as routine matters related to the supervisor's accountability.
17. Assumes responsibility for his own professional growth and development through membership and participation in the affairs of professional organizations, through attendance at regional, state, and national meetings, through enrollment in advanced courses, and the like.
18. Evaluates all staff members under his supervision according to statute and Board policy.

**TERMS OF EMPLOYMENT:** Ten-, eleven-, or twelve-month year. Salary and work year to be established by the Board.

**EVALUATION:** Performance of this job will be evaluated in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Re-Adopted:

## **QUALIFICATIONS OF TEACHERS**

The School Board shall employ teachers on a professional basis without regard to age, race, color, sex, or national origin.

Every teacher employed in this school system must possess a valid license or certificate and shall execute a written contract with the board of education. Teacher contracts shall be considered for renewal on or before April 15 each year.

The Principal and the Superintendent shall consider applications. Selected applicants shall be interviewed by the administration and a recommendation shall be made to the board of education who shall make the final employment determination.

Starting with the 2002-2003 school year, school districts receiving Title I funds must ensure that teachers hired after the first day of school in a program supported by such funds are "highly qualified." By the end of the 2005-2006 school year, all teachers within this school district are required to be "highly qualified." The No Child Left Behind Act defines "highly qualified" as an elementary or secondary school teacher who has obtained full state certification and has not had certification requirements waived on an emergency, temporary, or provisional basis.

Elementary teachers who are new to the profession must hold at least a bachelor's degree and have demonstrated, by passing a rigorous state test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary curriculum. Middle and secondary school teachers, new to the profession, will be deemed to be highly qualified if the individual teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the individual teaches by passing a rigorous state academic subject test in each such academic subject; or has successfully completed a grade degree with coursework that is equivalent to an undergraduate major, or advanced certification or credentialing for each academic subject that the individual teaches.

Veteran teachers currently employed by the district will be identified as highly qualified if they:

1. Hold at least a bachelor's degree; and
2. Have met the applicable standard for a teacher who is new to the profession, which includes an option for a test; or
3. Demonstrate competence in all the academic subjects in which the teachers teach, based upon a high objective uniform state standard of evaluation.

Additional qualifications and terms of employment for teachers may be found in the standard teacher contract. Specific duties may be found in the teacher job description found elsewhere in this manual. Nothing in this policy manual shall be construed as limiting or expanding the terms of the employment contract.

*THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT*

Re-Adopted:

**JURY DUTY**

Any certified staff member called for jury duty during school hours, or who is subpoenaed to testify in a hearing during school hours on a matter in which he or she is not a named party, will be granted leave with pay for the days or parts of days as such absence is required. The staff member may retain any payment as made by the court. The staff member will notify his or her supervisor as soon as practical to make the necessary arrangements for a substitute teacher when such leave must be taken.

Any classified staff member called for jury duty during school hours, or who is subpoenaed to testify in a hearing during school hours on a matter in which he or she is not a named party, will be granted leave with pay for the days or parts of days as such absence is required. Any per diem (excluding mileage, meals, or lodging) received for jury duty or the designated subpoena absence will be submitted to the business office or deducted from the regular salary. The staff member will notify his or her supervisor as soon as practical to make the necessary arrangements for a substitute when such leave must be taken.

Re-Adopted:

**MILITARY LEAVE**

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Superintendent shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active military duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion or benefits based upon membership or service in the uniformed services. The Superintendent may enact rules to implement this policy.

All requests for military leave will be submitted to the Superintendent in writing accompanied by copies of the proper documentation showing the necessity for the military leave request.

Unless otherwise impossible, all requests for military leave will be submitted at least one full month in advance of the date military service is to begin. Persons returning from military leave are asked to give notice of intent to return to the Superintendent, in writing, at least one full month in advance of the return date.

Re-Adopted:

**FAMILY AND MEDICAL LEAVE**

The District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall administer leave policies adopted by the Board, setting forth the rights and procedures granted by the Act, and shall ensure compliance with those policies personally, by delegation, or by some combination of personal oversight and delegation. An eligible employee must have been employed by the District for at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) months.

Re-Adopted:

**FAMILY AND MEDICAL LEAVE PROCEDURES (FMLA)  
(Regulation)**

REASONS

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the active duty or call to active duty of a covered family member (spouse, son, daughter, parent or next of kin) who serves in a reserve component or as a retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered family member (spouse, son, daughter, parent or next of kin) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces that may render the family member medically unfit to perform duties of his/her office, grade, rank or rating.

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

*Deadline for Notice to be Provided:* Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice as soon as the need becomes known).

*Deadline for Notice to be Provided:* Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

## ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical leave is taken to care for a service member's recovery from a serious illness or injury sustained in the line of duty, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service. In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

## RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) work week entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both husband and wife are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both an eligible husband and wife are employed by the District and are eligible for leave that involves a covered Armed Forces service member.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE / REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

Re-Adopted:

## **PROFESSIONAL STAFF HIRING**

All professional staff members of the district will be appointed by the Board upon the recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it will be the Superintendent's duty to make another nomination.

The Superintendent will assure that all persons nominated for employment meet state certification requirements and the qualifications established for the particular position.

Interviewing and selection procedures will assure that the principal or other administrator to be directly responsible for the work of the staff member has an opportunity to aid in his selection; however, the final recommendation to the Board will be made by the Superintendent.

All candidates will be considered on the basis of their merits, qualifications, and the needs of the district. In each instance, the Superintendent and others playing a role in the selection will seek to hire the best-qualified person for the job.

Upon approval by the Board, a teacher will receive a written contract to be signed by the teacher, Board president, and school district business manager.

Re-Adopted:

## **SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS**

Employment and dismissal of professional staff members is the responsibility of the Board and dismissal will conform with the conditions and procedures specified in state law.

A contract of may be terminated at any time, or non-renewed in the case of continuing contract status, for just cause including:

1. plain violation of contract;
2. gross immorality;
3. incompetency or neglect of duty;
4. poor performance;
5. unprofessional conduct;
6. insubordination;
7. violation of any policy or regulation of the school district;
8. neglect.

The Superintendent will give notice of the intent to recommend termination. The notice must specify the grounds for the recommendation, and inform the right to request a hearing.

After the hearing, or if a hearing is not requested, the Board will make its determination by majority vote in open session. Any order of termination of contract will state the grounds for termination.

### **SUSPENSION**

The Board or the Superintendent may suspend pending final action to terminate the contract if, in its judgment, the character of the charges warrants such action.

Re-Adopted:

## TEACHER MENTOR PROGRAM

### Rationale

The Elk Point-Jefferson School District realizes the importance of staff development and the hiring and retaining of good teachers. To reinforce this commitment, a teacher mentorship program is essential to nurture new professionals towards becoming outstanding educational leaders in our school. A teacher mentor program will allow us to utilize one of our greatest resources, good teachers, and have them share their wisdom, knowledge and skills with new teachers. We feel this investment will pay off handsomely in the long run as this will help our new teachers learn from those who have been successful in the past. On the flip-side, we believe our mentor teachers can also gain from the fresh new insight that new teachers can bring to our school.

### Program Objectives

The Elk Point-Jefferson School District wants to avoid the “sink or swim” mentality in developing new teachers. There are some key objectives that drive the necessity in creating a mentorship program:

1. It is important that new teachers work with experienced teachers to validate the things they are doing in the classroom. A mentor teacher can provide input on all aspects of the classroom experience.
2. The mentor can comfort a new teacher and help them become part of the teaching team within a building. This helps relieve the feeling of isolation.
3. The mentor will provide the new staff person with a resource to solve problems and act as a counselor to lessen anxiety that a new position can create.
4. The mentor can provide leadership in the orientation and transition into the new school year.
5. The teacher mentorship program will lead to the retention of young teachers that ultimately might leave the profession out of frustration or leave the district to go elsewhere.

### Program Management and Design

1. The mentor will have certain responsibilities and will help ensure the success of the program. These outlined responsibilities are listed below:
2. The mentor shall be chosen as a person who has a commitment and willingness to spend time with the new teacher. This will be done by providing training for the new mentor and outlining what is expected of them.
3. It is important that the roles of the principal, mentor, and new teacher be spelled out clearly to avoid frustration and create the proper lines of communication.

4. It must be made clear to the new professional that the mentorship program is part of their employment at the school and it is not a choice. All employees who are new to the profession will be required to be in the program and all new employees with 1-3 years of experience from another district will also be required to be in the program.
5. It is important that both a stipend (\$750) and release time during the day be utilized to deliver the planned services. The stipend shall be paid in June upon completion of the mentoring services.
6. The mentor should be in the same content area or in the same grade level group (primary, middle, high school).
7. The mentor will keep a journal of the mentoring activities including both formal and informal meetings.

#### Mentor Selection Criteria

It is important that the right people be selected to be mentors and that these responsibilities be well-defined. They shall include:

1. Chosen by the school principal based on their willingness to be part of the professional development of a new teacher and the training and time required in being a good mentor.
2. Past training in teacher supervision, perhaps in a graduate program or masters program and the understanding of assessment processes.
3. The completion of a mentor training program.
4. Possession of effective interpersonal and collaborative skills and a commitment to their own professional growth and development.
5. Recognition as a outstanding teacher who maintains positive relationships with fellow staff members.
6. It should be understood that the role of the mentor is to guide and not to dictate. They should be open to other teaching and learning styles even though it might not meet their personal style or philosophy. It is possible they may learn something from the new teacher.
7. The mentor will keep documentation and work closely with the principal on the progress of the new educator. All meetings dealing with the progress of the teacher will be held with the teacher present.

Re-Adopted:

**TUTORING FOR PAY**

To assure all students reasonable instructional assistance without charge from their own teachers, and to avoid placing a teacher in a position where he may have a conflict of interest, teachers will not be permitted to receive money for tutoring any student they have in class or upon whose evaluation or assignment they will be called upon to pass.

Teachers may not tutor any student for pay during their regular working hours or on school premises.

Re-Adopted:

**SUPPORT STAFF POSITIONS**

Education is a cooperative enterprise in which all employees of the school district must participate intelligently and effectively for the benefit of the children. This school district will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the Board. In each case, the Superintendent will submit for the Board's consideration and action a job description or job specifications for the position.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Board may abolish a position it has created.

Re-Adopted:

## **SUPPORT STAFF PROBATION**

All new employees may serve a probationary period. This will apply to former employees who are reemployed and to employees promoted to new positions.

Throughout the probationary period, and at the end of it, the employee's performance will be evaluated and reviewed by their supervisor(s). If the probationer's performance is found to be satisfactory, they will be placed on regular employment. A new or reemployed employee who performs unsatisfactorily may be terminated. An employee promoted to a new position, and whose performance is found to be unsatisfactory, may be returned to their former position and rate, where they will regain their permanent status, or be transferred to another suitable position.

Re-Adopted:

## **SUPPORT STAFF EVALUATION**

The development of a strong, competent support staff and the maintenance of high morale among this staff, are major objectives of the Board. Finding the right employees to fill vacancies, determining assignments and equitable work loads, establishing wage and salary policies which encourage employees to put forth their best efforts, evaluating employee achievements, and providing a good atmosphere in which to work are some of the major duties of the Board. To fulfill these duties, the Board delegates to the Superintendent or his or her designee the responsibility to develop evaluation procedures for all support personnel.

Support personnel will receive written evaluations annually by their supervisor. Additional evaluations may be made as often as once a month for employees needing assistance and improvement.

Probationary employees will be evaluated at least twice during the probationary period, and at least annually thereafter.

Re-Adopted:

**REDUCTION IN SUPPORT STAFF WORK FORCE**

The number of employees may be reduced due to a change in program, a change in the size or nature of the student population, or budgetary considerations. The Board will attempt to accomplish such a reduction through normal staff attrition, unless the best interests of the school district dictate otherwise.

In the event reduction of staff is necessary, seniority will be considered along with performance in determining employees who will be affected by either layoff or changes in position. Employees being terminated will be given a two-week notice.

Before a new employee is hired, a staff member whose employment has been suspended due to reduction in force will be given opportunity to return to work should the position be reinstated or other suitable vacancies open.

Re-Adopted:

**SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS**

The Board will strive to assist personnel to adjust to their positions and to perform their duties satisfactorily. Reasonable effort will be made to avoid dismissing personnel at any level.

When an employee is charged with misconduct, insubordination or unsatisfactory performance, they may be temporarily suspended by the Superintendent until the charges are investigated. If the charges are unfounded, the employee will be reinstated, if not, the employee will be disciplined.

If the employee is dissatisfied with the Superintendent's action, the employee may appeal to the School Board for a review of their case.

Re-Adopted: