



LEXINGTON  
R-V  
SCHOOL  
DISTRICT

# CLASSIFIED PERSONNEL HANDBOOK



# **LEXINGTON R-V SCHOOL DISTRICT**

## **Introduction**

The purpose of this handbook is to provide information that will help answer questions and pave the way for a successful year. Not all of the Board of Education policies and procedures are included. This handbook is neither a contract nor a substitute for the official Board Policy Manual. It is not intended to alter the at-will status of employees in any way. It is simply a guide to help answer questions you may have.

The Lexington R-V School District reserves the right to revise, add or delete from this handbook regarding the terms or conditions of an employee's employment to the extent allowable by law. Employees are encouraged to review the district's website ([www.lexington.k12.mo.us](http://www.lexington.k12.mo.us)) for more information concerning policies and procedures.

## **Mission and Goals**

Together the Lexington R-V School District will reach, teach, and challenge all students every day to be college and career ready.

Our goals:

1. Improve student performance and enable students to meet their personal, academic, social and career goals.
2. Employ highly qualified staff which will lead, instruct, and work in the district to achieve the District's Vision, Mission, and Goals.
3. Provide Maintain and/or Construct Facilities that promote and enhance a safe and quality educational environment in support of the district's vision, mission, and goals.
4. Provide and maintain appropriate support services that will promote and enhance a safe and quality educational environment that supports the district's vision, mission, and goals.
5. Provide and maintain appropriate technology resources and infrastructure that will promote and enhance a safe and quality education environment that supports the district's vision, mission, and goals.
6. Promote, facilitate, and enhance student, parent, and community involvement.
7. Provide, support, and promote consistent efficient, Governance, Leadership and representation that operates effectively which benefits all students, staff and patrons of the district.

## **Focus Areas**

The district is focusing on increasing student achievement through the following strategies:

- Vocabulary development – LINC and STAR
- Implementation of research based instructional practices (Marzano, Hattie)
- Transitioning to the new Missouri Learning Standards
- Gradual Release of Responsibility
- Standards Based Grading
- Authentic technology integration across content areas

## **General District Information**

### ***Board of Education (BBA)***

The Board of Education is an agency of the state and is organized and operates under the laws of Missouri, which authorize the Board “to make all needful rules and regulations for the organization, grading, and government in the school district.” The officers of the Board of Education are president and vice-president.

Regular meetings of the Board of Education are held at 6:00 p.m. on the third Wednesday of each calendar month unless another date or time is set by resolution. Special meetings of the Board of Education may be called by the President and the Board according to law and Board policy.

The Board of Education is a representative body elected by the registered voters of the Lexington R-V School District of Lafayette County. It is the purpose and the role of the Board of Education to exercise general supervision over the schools of the district, and to ensure that the schools are maintained as provided by the state statutes, the rules and procedures of the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education, and the policies, rules and procedures of the school district. In addition, the Board is accountable to the electorate, and shall be responsive to the educational needs and the imposed financial constraints of the district.

The Board of Education shall control all aspects of the operations of the district within the limits of the law. However, the Board will make its members, the district professional and support staff, and the district patrons aware that the Board has authority to take official action only when it is acting as a whole. The Board shall be the final authority. No section of the policies, rules and procedures may be construed to limit the statutory powers of the Board to exercise its own prudent judgment.

### **Board of Education 2017-2018**

President	Mrs. Pam Johnson
Vice President	Mr. Jim McCrary
Member	Mrs. Mary Kate Alkire
Member	Mr. Charles Hollingsworth
Member	Mrs. Amy Woods
Member	Mrs. Stephanie Carter
Member	Mrs. Emily engelbrecht

### ***Board-Staff Communications (BGB)***

The Board of Education desires to maintain open channels of communication between itself and the professional and support staff. The basic line of communication will, however, be through the superintendent.

The goal of the Board of Education is to foster and maintain an open line of communication with all district employees. The Board of Education encourages communication to begin with the employee’s immediate supervisory and follow the chain of command when ever possible. District employees have the right to communicate directly with members of the Board of Education, without repercussions from the superintendent, building principal, or other administrative staff.

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the superintendent, and the superintendent will employ such media as are appropriate to keep the staff fully informed of the Board's concerns and actions.

## **Employment**

### ***Notice of Nondiscrimination (AC)***

The Lexington R-V School District Board of Education is committed to maintaining a workplace and educational environment that is free from discrimination and harassment in admission or access to, or treatment or employment in, its programs, services, activities and facilities. In accordance with law, the district strictly prohibits discrimination and harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law. The Lexington R-V School District is an equal opportunity employer.

### ***Proper Check-In/Check-Out Procedure***

All staff are required to be ready to work at the start of their shift.

When leaving the building for lunch, staff are required to time out and time in. In no instance will a staff member be absent from his/her building for longer than thirty (30) minutes without prior approval or knowledge of his/her supervisor.

All staff will clock out upon completion of their shift unless overtime has been authorized by a supervisor.

### ***Reporting of Accidents/Injuries***

The Lexington School District provides worker compensation insurance for employees that may be injured in the course of their duties. In the event of an injury at work, please contact your supervisor and school nurse to complete an injury/accident report form. All injuries should be reported as soon as practical, but within 24 hours.

### ***Activity Passes***

Activity passes are provided to all district employees through the Activities/Athletic Director's office. These passes exclude all State-sponsored activities.

### ***Driver's License***

An employee occupying a job which may require the use of a district vehicle must possess a valid Missouri Driver's License. A departmental supervisor may from time to time request to see such license to determine its validity. Failure to obtain or show evidence of such license will result in a job reassignment or termination of employment.

### ***Inclement Weather***

All full-time employees will work on inclement weather or "snow days." Work missed due to bad weather may be deducted from vacation time. Arrangement of work schedule and vacations is to be determined by the supervisor and the individual employee. The superintendent must approve any exception to this. If a "make-up" day occurs on a district designated holiday, those

employees who were required to work regardless of weather conditions may be requested to work on that “make-up” day and if they choose to work, they will be compensated.

Any employee who works less than 12 months is not required to report to work on a “snow day” unless instructed to work by their supervisor or the superintendent. If the employee works on a “snow day,” they will be compensated. All employees are required to work on all designated “make-up” days.

### ***Loss of Personal Property***

The school district will not assume responsibility for loss of, or damage to, personal property stored, installed, or used on the school premises.

### ***Personal Legal Liability***

Employees having concerns or questions pertaining to their legal liability for acts performed in the scope of their employment in the district should address these concerns to their supervising principal, director, or coordinator for referral to the superintendent. The principal, director, or coordinator shall not undertake to give legal advice to employees individually or collectively.

### ***Keys***

Keys are not to be loaned or given to other personnel, students, or people outside the district.

### ***Copyrighted Materials (GBCA)***

Employees who make and use copies of copyrighted materials in their jobs are expected to be familiar with and follow published provisions regarding fair use and public display.

### ***Lunchroom Charges (EF)***

The district expects students and employees to pay for meals prior to or at the time of receipt. Students and staff will not be allowed to charge for meals.

### ***Staff ID***

District-wide safety procedure is that all staff members must wear their identification badges while performing work-related functions on Lexington R-V School District property. Staff members performing school related duties off-campus are also required to wear their identification badges. Staff members are expected to wear the identification badges once they enter the school buildings at the start of the day. If badges are forgotten, a temporary badge will be issued from the school office and returned at the end of the day.

Volunteers, substitute teachers, student teachers, and other persons doing business on Lexington R-V School District property are required to wear ID badges.

Visitors must report directly to the school office upon arrival. Visitor ID badges will be issued. Staff will be responsible for the replacement cost of ID cards and accessories.

## **Employment Policies**

### ***Classifications of Non-Certified Employees (GBA)***

The non-certified staff consists of all employees who do not hold a teaching or administrative certificate issued by the State Department of Education and whose job does not require a state certificate or licensure.

### **Definitions**

*Compensatory (Comp) Time* – Time off awarded to nonexempt employees at the rate of one and one-half times the number of actual hours worked in excess of 40 in a workweek.

*Exempt Employees* – Those employees whose duties and compensation meet the requirements to be an exempt executive, administrative, professional or computer employee as defined in federal law and who are not eligible for overtime compensation or compensatory time.

*Hours Worked* – For the purposes of this policy, hours worked means all hours during which the individual is required to be on duty—generally from the required starting time to normal quitting time—and all hours an employee is permitted to work, in accordance with law. Meal periods of 30 minutes or longer and break periods of 20 minutes or longer do not count as hours worked as long as the employee is relieved of all duties and is free to leave his or her duty post. Breaks for nursing mothers to express breast milk are also not considered as hours worked.

*Nonexempt Employees* – This includes all district employees not specifically identified as exempt under federal law. This generally includes noncertificated staff; however, in some circumstances noncertificated staff members may qualify for exempt status. The Board directs the superintendent to ensure that job positions are classified as exempt or nonexempt and that employees are made aware of these classifications. Employees in doubt about their status should contact their immediate supervisor.

*overtime* – Actual hours worked in excess of 40 hours in a workweek.

### **Compensation**

Exempt and nonexempt employees will be compensated in accordance with the applicable Board policy. Unless otherwise permitted by law, exempt employees will be compensated on a salary basis. Nonexempt employees may be compensated on either a salary or hourly basis, although amounts paid for overtime work and deductions for unpaid leave will be calculated using an employee's regular hourly rate of pay. The district will comply with minimum wage laws, when applicable.

All nonexempt employees are required to complete a daily time record showing actual hours worked. Supervisors of nonexempt employees must verify the accuracy of such records on a weekly basis. Failure to maintain or verify such records or falsification of these records will be grounds for disciplinary action.

### **Overtime**

The Board discourages overtime work by nonexempt employees. A nonexempt employee shall not work overtime without the express approval of his or her supervisor. Nonexempt employees who begin work earlier or work later than their assigned hours without prior authorization from their immediate supervisor are subject to discipline, including termination.

Unless a nonexempt employee works in one of the classifications listed in the "Comp Time" section of this policy, he or she will be paid one and one-half times his or her regular rate of pay for each hour of overtime.

### **Comp Time**

The district uses comp time in lieu of overtime compensation for the following classifications of employees: nonexempt employees.

This policy constitutes an agreement or understanding in advance that these employees will be given comp time off for overtime work. Employees will be awarded such comp time off at the rate of one and one-half hours for each hour of overtime worked.

The following provisions apply to comp time:

1. Comp time may be accrued up to 240 hours (160 overtime hours). overtime work beyond this maximum accrual will be monetarily compensated at the rate of one and one-half times the individual's regular rate of pay. The district may require an employee to use accrued comp time to avoid excessive accumulation or monetary liability.
2. Every effort will be made to permit the use of comp time at a time mutually agreed upon by the individual and his or her supervisor. However, when the individual's absence would unduly disrupt the district's operations, the district retains the right to postpone comp time usage.
3. The preferred method for using comp time is by working a partial day. A whole day may be taken if enough comp time has accumulated and a substitute does not have to be hired.
4. Comp time hours may be used to extend vacation time by a maximum of three days if approved in advance by the administration.
5. Upon leaving the district, individuals will be paid for any unused comp time at a rate not less than the higher of the average regular rate received by the employee during his or her last three years of employment or his or her final regular rate of pay.

#### **Required Breaks**

In accordance with law, the district will provide a reasonable break time for an employee to express milk for her nursing child each time the employee has a need to express for one year after the child's birth. The district will provide a location, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public that employees may use to express milk.

#### **Staff Recruiting and Hiring (GDC)**

To provide a positive educational environment for students, the district must employ quality staff members. It is the responsibility of the superintendent or designee to determine the support staff personnel needs of the school district and to locate suitable support staff candidates. The superintendent will make recommendations for

employment of support staff members for the Board's approval. The Board will employ personnel in accordance with law.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The Lexington R-V School District is an equal opportunity employer and hires only citizens of the United States and persons who are legally authorized to work in the United States. The Lexington R-V School District will enroll and actively participate in a federal work authorization program in accordance with law.

### **Recruiting**

Efforts will be made to recruit the best-qualified candidate for the position. New or vacant positions will be posted for at least five (5) business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five (5) business days or that a longer period is necessary, the position will be advertised for as many days as is appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee assigns an existing employee to the position.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for new or vacant positions in the district.

All requests for information concerning vacancies in the district shall be directed to the superintendent or designee. Persons interested in positions in the district must complete a formal application and provide all necessary information requested by the superintendent or designee. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

### **Hiring**

A position will be filled by the Board of Education only after receiving the recommendation of the superintendent or designee. All candidates will be selected on the basis of qualifications, training, experience and ability to fulfill the requirements of the position. Any applicant found to have presented false credentials or any document referencing false credentials will immediately be removed from consideration.

Before the Board votes to employ an applicant in a position that requires a license or other necessary certification, such as a nurse or an electrician, the superintendent or designee will verify that the applicant currently possesses the appropriate license or



certification. The superintendent or designee will also reverify licenses and certifications once they are renewed.

A spouse of a Board member will only be hired to fill any vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.

The district will not accept an application of employment from a Board member, consider a Board member for employment or decide to employ a Board member while the member remains on the Lexington R-V School District Board of Education. Board members who wish to apply for employment in the district must first resign from the Board.

In accordance with law, the district will hire individuals receiving retirement benefits from the Missouri Public Education Employee Retirement System to work full time only if the district has determined that it has a shortage of noncertificated employees. The district may only hire retired employees under this program if it has:

1. Made a good-faith effort to fill positions with candidates who have not retired.
2. Not offered early retirement incentives for either of the previous two (2) years.
3. Posted the vacancy for at least one (1) month and solicited applications through local newspapers or other media.
4. Determined that there is an insufficient number of eligible applicants.
5. Declared a critical shortage of noncertificated employees that is active for one (1) year.

The total number of retired noncertificated employees hired under this section cannot exceed at any one (1) time the lesser of ten (10) percent of the total noncertificated staff in the district or five (5) noncertificated employees.

### ***FERPA or Confidentiality of Student Records***

A student's individually identifiable education records cannot be released to anyone besides school employees and the parent/student without the parent/student's written consent. Further, information obtained from an education record cannot be released to anyone besides school

employees and the parent/student without the parent/student's written consent. The Missouri Safe Schools Act also forbids disclosure of student records to any person who is not employed by the school district or to any governmental agencies other than another school district or juvenile or family court, absent a subpoena or statutory requirement to report a crime on school property. Any violation of this statute is a criminal misdemeanor.

#### *Things to Know Regarding FERPA*

1. Do not discuss individual student achievement with others.
2. Do not discuss student disciplinary actions.
3. Do not use e-mail to gather or share information on a student.
4. Do not reveal information pertaining to special services provided to a student.

Private and identifiable information covered by FERPA may be shared among/with teachers, administrators, and substitute teachers for specific educational reasons. This information may not be shared for other purposes.

Hold as confidential any material or knowledge concerning the school (teachers, pupils, parents, principal, etc.) you gain while in a particular building. Student records that are available to school personnel are personal in nature and their contents must be treated as privileged communication. Student "records" are not to be discussed outside the confines of the school.

#### ***Conflict of Interest (GBCA)***

Employees of the Board will not engage in any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as members of the Lexington R-V School District staff and may be disciplined or terminated for doing so.

#### ***School Buildings (ECA)***

Staff will be issued keys to their respective places of responsibility. Building entrance keys will be issued to only those persons in need of an entrance key, as determined by the administration. Use of the buildings on Sunday is discouraged. All buildings opened for use on Sunday must be approved by the building principal or the superintendent.

Staff are not to allow groups or individuals to enter the school building without proper authorization from the building principal. Building facilities shall not be used any hours other than school hours without permission from the building administrator or superintendent. This includes group or personal interest usage.

#### ***Non School Employment (GCQA)***

When a person is hired on a regular, full-time basis, the Board considers that it has given him or her full-time employment. It shall, therefore, expect all employees to give the responsibilities of their positions in the district precedence over any type of outside, part-time work.

#### ***Travel Expenses***

The Board of Education will pay reasonable travel expenses for those who travel on school district business and whose trip has been approved in advance by the employee's supervising administrator and superintendent. Actual expenses will be allowed for overnight room cost, registration fees, and commercial conveyance. Personal auto use will be reimbursed at the rate

of thirty-one (31) cents per mile. Refer to the district mileage chart for reporting reimbursed mileage. A meal allowance of \$26 per day is set for all-day conferences.

### ***Computer Usage (EHB)***

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district.

Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students is a priority in the district, and employees who are responsible for supervising students must concentrate on that task at all times. Employees shall not use communication devices when they are responsible for supervising students unless any of the following conditions occur:

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

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

### **Use of District-Provided Communication Devices**

The district may provide communication devices and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided communication device is a privilege. The superintendent or designee has sole discretion as to which employees will be provided communication devices and may recall any previously issued communication device. Employees do not have any expectation of privacy in district-provided communication devices or any information stored on them, and such devices may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district-provided communication devices from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft that was the result of the employee's negligence. Users of district-provided communication devices must abide by any use limitations included in the district's service contract.

### ***Personal Use of District-Provided Communication Devices***

Personal use of district-provided communication devices is permissible as long as the use does not exceed the limits of the applicable plan. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the device was not used for personal reasons.

The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

### ***Drug/Alcohol-Free Workplace (GBEBA)***

Staff members are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the District's intent and obligation to provide a drug-free and alcohol-free environment. Employees must, as a condition of employment, abide by the terms of the Drug-Free/Alcohol-Free Workplace policy which is stipulated in Board Policy GBAB. Employees needing help in dealing with such problems are encouraged to use our health insurance plan, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job, and will not be noted in any personnel record. The following are substance abuse centers in Missouri. Alcoholics Anonymous, Central Office, 245 Landmark Building, 309 North Jefferson, Springfield, MO 65806, (417)826-9264 or (800) 492-3322, ext.3869; Burrell Center, Inc. 1300 Bradford Parkway, Springfield, MO 65804, (417) 833-5400; Cox Care Center, 1423 North Jefferson, Springfield, MO 65802, (417)269-2273; Franciscan Alcohol/Chemical Dependency TRT Program, 221 Saint Francis Drive, Cape Girardeau, MO 63701, (573)335-1251; Greater Kansas City MH Foundation, 600 East 22<sup>nd</sup> Street, Kansas City, MO 64108, (816)471-3000, ext. 465 and MID-Missouri Mental Health Center, 3 Hospital Drive, Columbia, MO 65201, (573)449-2511.

### ***Drug/Alcohol (GBEBA, GBEBB, GBEBA-AF)***

Any employee who is reasonably suspected of having violated Board Policy GBEBA, Drug-Free Workplace, will be required to submit to breath analyzer, urine, blood and/or other screening tests.

- ◆ Any employee who refused to submit to a for-cause drug and/or alcohol screen after having been warned of the consequences of such refusal will be terminated.
- ◆ An employee subject to the for-cause drug and/or alcohol screen will be suspended without pay pending the test results. If the results are negative, the employee will be reimbursed for the time lost.
- ◆ The results of the drug and alcohol screens will not be released to anyone outside the Lexington R-V School District or to anyone within the Lexington R-V School District who does not have a need to know the information in the regular course of business.
- ◆ Records of the results of drug and alcohol screens will be maintained in a separate file and will not become a part of the employee's personnel file, unless discipline is involved. In that case, results of drug and alcohol screens may be attached to the disciplinary form which becomes part of the personnel file.

### ***Prescription Drugs (GBE, GBEBA, GCPD)***

An employee taking prescription drugs which may affect his/her job performance or may endanger the employee or others must report his/her treatment to his/her supervisor. Examples of such prescription drugs are codeine and amphetamines.

The supervisor will determine if an evaluation for duty by Business and Industry Health Group will be required.

### ***Conditions of Health (GCBDA, GBE)***

All employees are expected to perform their assigned job as specified by the job descriptions regardless of condition of health, except during periods of authorized leave for physical limitations

resulting from an occupationally-related injury or illness incurred while the employee of the Lexington R-V District. Application for a position is the employee's statement that he/she is physically fit.

### ***Equal Opportunity Employer (AC)***

The Lexington R-V School District Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination or harassment in admission or access to, or treatment or employment in, its programs, activities and facilities. Discrimination or harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law is strictly prohibited in accordance with law. The Lexington R-V School District is an equal opportunity employer. Students, employees and others will not be disciplined for speech in circumstances where it is protected by law.

### ***.Anti-Discrimination and Anti-Harassment Law Compliance (AC)***

As a political subdivision, employer, recipient of federal funds and educational institution, the Board of Education is prohibited from, and hereby declares a policy against, engaging in unlawful discrimination, including harassment creating a hostile environment, on the basis of race, color, religion, sex, national origin, ancestry, disability, age or use of leave protected by the Family and Medical Leave Act, in its programs, activities and with regard to employment. The Board is an equal opportunity employer.

Marital, maternal or paternal status shall not affect the rights and privileges of district students to receive an education. Those students are eligible to participate in all activities and receive all honors the same as any other students enrolled in the school district.

As part of this obligation, the Board is also prohibited from, and declares a policy against:

- (1) Retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who:
  - a) Make complaints of prohibited discrimination or harassment.
  - b) Report prohibited discrimination or harassment.
  - c) Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning prohibited discrimination or harassment.
- (2) Aiding, abetting, inciting, compelling or coercing discrimination; and
- (3) Discrimination against any person because of such person's association with a person protected from discrimination due to one or more of the above-stated characteristics.

To ensure that these obligations are met, the Board designates the following individual to act as the district's nondiscrimination laws compliance coordinator, who shall also be the appointee for all laws specifically mandating such an appointment, and who shall have the duty of keeping the superintendent informed of the state of compliance with this policy district wide: Director of Special Services, Lexington R-V School District, 2323A High School Drive, MO 64067-1499, Phone: 660-259-4369; Fax: 660-259-4992.

Complaints and reports regarding discharge of the duties summarized in this policy should be addressed to the compliance coordinator. Any employee of the district or member of the Board of Education who becomes apprised of a possible violation of this policy must report the matter to the coordinator. In the event the compliance coordinator is the subject of a report that would otherwise be made to the compliance coordinator, reports should instead be directed to the superintendent, who will assume the coordinator's duties for the purpose of that complaint.

To the extent permitted by law, any public record held by this school district that is generated or received pursuant to this policy shall be closed and available only to the Board acting as a quorum, a committee appointed by the Board to carry out this policy on a permanent or ad hoc basis, the compliance coordinator and other administrators whose duties require access to the record in order to carry out this policy. Such persons may share access, on an individual basis, to such records with complainants or participants in a grievance or other resolution; only to the extent such disclosure promotes the purposes of this policy and is not prohibited by FERPA or any other law. Certain other limited disclosures may be required when material in the records is integral to an action affecting a constitutionally recognized property or liberty interest.

### ***Job Performance Evaluation (GDN)***

The superintendent or designee will regularly evaluate the performance of all support staff employees in the district. The primary purpose of the evaluation is to promote the continuous growth of support staff employees in a manner that is aligned with the district's Comprehensive School Improvement Plan (CSIP) and, where applicable, building improvement plans (BIPs) with the goal of contributing to a positive education environment. Results of the evaluation will inform employment and compensation decisions, but may not be the only factor considered.

The procedures and instruments for support staff evaluation will be developed by the superintendent, in consultation with building-level administrators and support staff supervisors, and will include:

1. Multiple ratings used to identify differentiated levels of performance.
2. An analysis of the employee's impact on the education environment.
3. Incorporation of meaningful and timely feedback between the evaluator and the support staff employee.
4. Evaluator training on the proper implementation of the evaluation instrument used by the district.

### **Evaluation Process**

The superintendent or designee will regularly evaluate the performance of all support staff employees in the district. The primary purpose of the evaluation is to promote the continuous growth of support staff employees in a manner that is aligned with the district's Comprehensive School Improvement Plan (CSIP) and, where applicable, building improvement plans (BIPs) with the goal of contributing to a positive education environment. Results of the evaluation will inform employment and compensation decisions, but may not be the only factor considered.

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4. Evaluator training on the proper implementation of the evaluation instrument used by the district.

## **Evaluation Process**

The superintendent may delegate the responsibility for support staff evaluation to other administrators, but the superintendent is ultimately responsible for the performance of all employees. Evaluators will complete a written evaluation on all support staff assigned to them for evaluation. All employees will be given an explanation of their duties and responsibilities and will be provided with guidance by their immediate supervisors in performing them satisfactorily. In addition, all staff members will receive a copy of the applicable evaluation instrument in advance of their evaluation.

Evaluators will assess and monitor growth in the following areas:

1. Job knowledge
2. Quality of work
3. Quantity of work
4. Initiative/Resourcefulness/Creativity
5. Dependability, including attendance and punctuality
6. Cooperation
7. Communication
8. Impact on the education environment
9. Other areas as appropriate for the specific job

## **Job Assignment (GDI)**

Job assignments (position placements) will be made by the principal, director, or coordinator of the employee's department with the approval of the superintendent or designee.

### ***Job Transfer (GDI)***

The district has the right to transfer an employee at any time to any position in the district to meet its operational requirements. Payment to the employee may not be reduced until a new school year commences. An employee may request a transfer of assignment within his/her current department or to another department within the district by placing such a request in writing to the office of the superintendent with a copy to the appropriate principal, director, or coordinator. If the requested new assignment carries a lower or higher salary, placement on this lower or higher salary schedule shall become effective with the completion of the transfer.

### ***Promotions and/or Requested Change in Job Assignment (GDI)***

An employee will receive a promotion and/or an employee requested job assignment change based on his/her prior job performance in the district; the degree of skill he/she possesses which will affect the performance of the new assignment; and the length of service within the district. Length of service in the district will not be a primary factor used in promoting or changing an employee's job assignment unless all other factors are equal.

### ***Attendance at Meetings (GBCB)***

All employees are expected to attend all special meetings requesting their attendance called by the superintendent or the employee's immediate supervisor.

### ***Conduct (GBCB)***

The Board of Education expects that each professional and support staff member shall put forth every effort to promote a quality instructional program in the school district. In building a quality program, employees must meet certain expectations that include, but are not limited to, the following:

1. Become familiar with, enforce and comply with all Board policies, regulations, administrative procedures and other directions given by district administrators and state and federal laws as they affect the performance of job duties.
2. Maintain courteous and professional relationships with pupils, parents/guardians, other employees of the district and all patrons of the district.
3. Keep current on developments affecting the employee's area of expertise or position.
4. Transact all official business with the appropriate designated authority in the district in a timely manner.
5. Transmit constructive criticism of other staff members or of any department of the school district to the particular school administrator who has the administrative responsibility for improving the situation.
6. Care for, properly use and protect school property.
7. Attend all required staff meetings called by district administration, unless excused.
8. Keep all student records, medical information and other sensitive information confidential as directed by law, Board policy, district procedures and the employee's supervisor.
9. Immediately report all dangerous building conditions or situations to the building supervisor and take action to rectify the situation and protect the safety of students and others if necessary.
10. Properly supervise all students. The Board expects all students to be under assigned adult supervision at all times during school and during any school activity. Except in an emergency, no employee will leave an assigned group unsupervised.
11. Obey all safety rules, including rules protecting the safety and welfare of students.
12. Submit all required reports or paperwork at the time requested. Employees will not falsify records maintained by the school district.



13. Refrain from using language, gestures, emotional control and mannerisms that are manipulative, profane, threatening, belittling, demeaning or discriminating to students and/or other staff.
14. Dress professionally and in a manner that will not interfere with the educational environment.
15. Refrain from leaving the building during the regular school day whether on school business or not, unless approved by the principal, so that a substitute may be found to carry on or so that the principal may be able to locate the employee if needed. In case of an emergency such as illness, the employee should make an effort to notify the principal, or in his or her absence, the superintendent.
16. Come to work and leave work at the time specified by the employee handbook or by the employee's supervisor. Employees who are late to work, stop working before the scheduled time or work beyond the scheduled time without permission may be subject to discipline, including termination.
17. School employees, other than commissioned law enforcement officers, shall not strip search students, as defined in state law, except in situations where an employee reasonably believes that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others and a commissioned law enforcement officer is not immediately available.
18. School employees shall not direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as such emblem, insignia or garment is worn in a manner that does not promote disruptive behavior.
19. State law prohibits teachers from participating in the management of a campaign for the election or defeat of a member of the Board of Education that employs such teacher.
20. Employees will not use district funds or resources to advocate, support or oppose any ballot measure or candidate for public office.
21. Employees will not use any time during the working day for campaigning purposes, unless allowed by law.
22. Employees of the district, including professional and support staff, are expected to set an appropriate example for the students attending the district. All employees shall refrain from conduct, which if committed by a student, would subject the student to discipline. Prohibited conduct includes that conduct prohibited by policy JG-R, except that policy AH shall regulate use of tobacco by adult employees.

No employee of the district shall directly or indirectly, individually or with others, perform any act or refrain from performing any act, which action or inaction is, or may be, illegal, immoral, contrary to regulations or disruptive of good order or of discipline, nor shall any employee incite, advise, counsel or assist others to do so.

Failure to adhere to this policy may result in disciplinary action against an employee, up to and including termination of employment, depending upon the severity of the violation.

### ***Staff/Student Relations (GBH)***

Staff members are expected to maintain courteous and professional relationships with students at all times. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These

boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

### **Absolute Prohibitions**

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may presume that this provision has been violated if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.
4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

### **Exceptions to This Policy**

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede appropriate interactions between staff members and students.

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of

the standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the student. To avoid confusion, the district encourages staff members to consult with their supervisors prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

### **Failure to Maintain Boundaries**

Unless an educational purpose exists or an exception as defined in this policy applies, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off. Counselors or others who need to work with students confidentially must discuss with their supervisors the appropriate manner of meeting with students.
2. Meeting students in nonwork settings without the parent/guardian being present, even if the parent/guardian grants permission.
3. Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
4. Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
5. Discussing the staff member's personal problems with or in the presence of students.
6. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
7. Inviting students to the staff member's home.
8. Being present when students are fully or partially nude.
9. Sending students on personal errands.
10. Allowing a student to drive the staff member's vehicle.
11. Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff

member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.

12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts to individual students.
14. Frequently pulling a student from another class or activity to be with the staff member.

### **Electronic Communication**

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, webpages or other forms of electronic communication.

The district's policies, regulations, procedures and expectations regarding in-person communications at school and during the school day also apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be as professional as face-to-face conversations, and student communications must be appropriate as well. Staff members may only communicate with students electronically for educational purposes between the hours of 6:00 a.m. and 10:00 p.m. Staff members may use electronic communication with students only as frequently as necessary to accomplish the educational purpose.

1. When communicating electronically with students for educational purposes, staff members must use district-provided devices, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-provided devices, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-provided forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.
2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal telephone numbers,

addresses, webpages or accounts (including, but not limited to, accounts used for texting) to organize or facilitate a district-sponsored class or activity if the communication is determined necessary or beneficial, if a district-sponsored form of communication is not available, and if the communication is related to the class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. When possible, staff members must communicate using mass texts or e-mails and avoid individual communications. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.

3. Staff use of any electronic communication is subject to the district's policies, regulations and procedures including, but not limited to, policies, regulations, procedures and legal requirements governing the confidentiality and release of information about identifiable students. Employees who obtain pictures or other information about identifiable students through their connections with the district are prohibited from posting such pictures or information on personal websites or personal social networking websites without permission from a supervisor.
4. The district discourages staff members from communicating with students electronically for reasons other than educational purposes. When an electronic communication is not for educational purposes, the section of this policy titled "Exceptions to This Policy" applies, and if concerns are raised, the staff member must be prepared to demonstrate that the communications are appropriate. This policy does not limit staff members from communicating with their children, stepchildren or other persons living within the staff member's home who happen to be students of the district.

### **Consequences**

Staff members who violate this policy will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

### **Reporting**

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's

supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

### **Training**

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

### ***Discipline***

An employee committing any of the following violations may be suspended with/without pay or be discharged:

- ◆ Failing to be at work assignment at starting time
- ◆ Leaving work stations without authorization
- ◆ Excessive absenteeism
- ◆ Excessive tardiness
- ◆ Not using time to complete work required
- ◆ Falsification of personnel or other records\*
- ◆ Removing district property, records, or confidential information from premises without authorization\*
- ◆ Willful abuse, misuse, defacing, or destruction of district property, including tools, equipment of the property of other employees\*
- ◆ Theft or misappropriation of property of employees or of the district\*
- ◆ Refusal to obey proper orders of supervisor\*
- ◆ Unauthorized operation of machines, tools, or equipment
- ◆ Threatening, intimidating, coercing, or interfering with employees or supervisors at any time\*
- ◆ Making or publishing false, vicious, or malicious statements concerning any employee, supervisor, or the district
- ◆ Possession, consumption, or reporting to work under the influence of alcohol or nonprescribed drugs\*
- ◆ Disregarding safety rules or common safety practices
- ◆ Unsafe operation of motor driven vehicle

- ◆ Unauthorized distribution of literature, written or printed matter of any description on district premises
- ◆ Posting or removing notices, signs, or writing in any form on bulletin boards or district property at any time without specific authority of administration
- ◆ Poor workmanship
- ◆ Immoral conduct or indecency including abusive and/or foul language\*
- ◆ Making and/or receiving personal calls during work hours, except for emergencies
- ◆ Walking off the job
- ◆ Refusal or failure to do work assignments

\*Cause for immediate dismissal

### ***Criminal Background Check (GBEBC)***

The Lexington R-V School District is committed to providing a safe environment for students to learn. As part of this effort, the district will require criminal background checks of employees as well as certain volunteers and others working on school grounds in accordance with this policy. Generally, the district will conduct a criminal background check in accordance with law on all new employees before they have contact with any student; however, the district will forgo a criminal background check on any employee hired on a part-time or substitute basis if the employee is hired within one (1) year of having retired from the Lexington R-V School District. Any offer of employment is contingent upon the satisfactory outcome of the criminal background check, when required. The district has the sole and absolute discretion to determine whether the outcome is satisfactory.

### ***Arrests***

All employees must notify their immediate supervisory of any arrests or charges, other than a speeding ticket, within forty-eight (48) hours after being charged or arrested.

### ***Termination of Employment***

Employees shall be considered terminated with the district and lose all right to accumulative benefits, except vacation earned, if they

- ◆ resign their position with the district
- ◆ are discharged for cause by the district
- ◆ fail to report to work for three (3) consecutive days and do not within such a three consecutive-day period give a satisfactory explanation for not reporting. Such employees shall be considered to have voluntarily quit. Payment will be made as soon as possible.

### ***Grievance Procedures (GBM, GBM-AF)***

A formalized grievance procedure has been established to provide all employees a systematic and equitable means of resolving, at the earliest date and at the lowest possible administrative level, an issue which may arise with respect to terms and conditions of employment. The procedure is available to any employee who feels there has been a misinterpretation or inequitable application of rules, regulations, policies, practices, or laws.

The purpose of this grievance procedure shall be to settle equitably at the lowest possible administrative level and at the earliest possible date, issues which may arise from time to time with respect to the terms and conditions of employees of Lexington R-V non-certified personnel provided for in this procedure. It is recognized that differences in the operation of the schools/departments in the district may occur in order to provide the services required.

## Definitions

- ◆ Grievance – A grievance is an allegation based upon an event or condition which affects the welfare, conditions or circumstances under which an employee works allegedly caused by a misinterpretation or inequitable application of personnel management procedures, application of a policy, or a misinterpretation or inequitable application of a practice which is followed in the operations of a school or schools in the district.
- ◆ Day – Day refers to a school or working day.
- ◆ Representation – A person designated by the grievant or the respondent to act either with or for the grievant or respondent in this procedure.

## Procedure

- ◆ See Board Policy: GBM, GBM-AF

## Rights and Responsibilities of Interested Parties

- ◆ No reprisals of any kind shall be taken by any party to this procedure against any party in interest, any witness, or any other participant in this grievance procedure by reason of such participation.

### Adherence to Time Limits

- ◆ Failure at any step of the procedure to appeal a grievance to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that level.

## ***Leave for Staff (GDBDA)***

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. However, the Board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

It is expected that requests for leave will be made in writing to the designated administrator at least five days in advance of the time that the leave is requested whenever possible. However, 30 days notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

This policy does not apply to temporary or substitute staff members unless otherwise noted.

Leave – Support staff employees receive one day of accumulated leave for each month of employment during the year. Unused leave will be cumulative to 90 leave days. Support staff employees will be paid \$35 per day at the end of the school year for all days of accumulated leave beyond 90 days. Upon retirement from the district the support staff employee will be paid \$35 for each of the unused cumulative days. A support staff employee leaving the system other than through retirement forfeits all entitlement to accumulated leave days.

The following leaves with pay will be provided to full-time support staff employees. Regular part-time support staff employees will receive these leaves on a pro rata basis.

Absences may be charged against leave for the following reasons:



1. Sick Leave (deducted from leave)

a. Illness, injury or incapacity of the employee. The Board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid leave.

b. Illness, injury or incapacity of a member of the immediate family. The Board defines "immediate family" to include:

▶ The employee's spouse.

▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.

▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.

d. Pregnancy, childbirth and adoption leave in accordance with this policy.

e. Absences under leaves authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under the FMLA.

f. Leave for other purposes as approved by the principal.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

2. Personal Business (up to three days per school year, deducted from leave)

If the employee's absence may disrupt district operations, the superintendent has the discretion to deny a request for personal business leave or limit the time of year the employee may take his or her personal business leave.

3. Bereavement (up to three days)

Death/Funeral for a member of the immediate family. The Board defines "immediate family" to include:

▶ The employee's spouse.

▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.

▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

4. Legal Directive (deducted from leave)

a. Tax Investigation

b. Court appearances, unless applicable law or policy provides for paid leave.

Leave may not be granted under the following circumstances:

a. For use during the period an employee receives Workers' Compensation for time lost due to work-related incidents. Any noncertified employee who is a member of a retirement system shall remain a member during any period of leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

b. Leave days may not be used to extend time before or after a holiday.

c. A personal leave day may not be used during the first two weeks of school or the last two weeks of school, or during times when the number of requests prevents a building administrator from securing acceptable substitutes. Extenuating circumstances will be referred to the superintendent.

5. Vacation – Full-time support staff will receive 10 days of paid vacation. If hired after July 1, the amount of vacation will be prorated. Any 12-month employee who has worked in the district for more than 15 years will receive ten additional days per year; ten years but less than 15 years will receive five additional days of vacation each year. Full-time support staff with unused vacation days at the end of the fiscal year (June 30) will be allowed to carry over 50 percent of their unused vacation days. Any excess over 50 percent will be paid at employee's hourly rate.

Any 11-month employee who has worked in the district for more than 15 years will receive eight days of paid vacation each year; ten years but less than 15 years will receive five days of paid vacation each year. Eleven-month employees with unused vacation days at the end of the fiscal year (June 30) will be allowed to carry over 50 percent of their unused vacation days. Any excess over 50 percent will be paid at employee's hourly rate.

Any 10-month employees who has worked in the district for more than ten years will receive three days of paid vacation each year. Any 10- or 11-month employee who has worked in the district for ten years or less will not be eligible for vacation.

Vacation time may be taken at other times during the year if approved by the building administrator and the superintendent. If the employee's absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Unless otherwise provided, the following leaves will be provided to full-time and part-time support staff employees.

1. Holidays – All 12-month full-time support staff employees will be given the following holidays: July 4th (two days), Labor Day, Thanksgiving Day and the day after, Christmas Eve Day, Christmas Day, New Year's Eve Day, New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday and Memorial Day.

All 11-month full-time support staff employees will be given the following holidays: Labor Day, Thanksgiving Day and the day after, Christmas Eve Day, Christmas Day, New Year's Eve Day, New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday and Memorial Day.

All 9-month and 10-month full-time support staff employees will be given the following holidays: Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Day, Presidents' Day and Good Friday.

Holidays falling on a Saturday will be observed on preceding Friday, and holidays falling on a Sunday will be observed the following Monday. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.

2. Professional Leave – Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the immediate supervisor, arranged well in advance and is not considered personal leave.

3. Military Leave – The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.

4. Election Leave – Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

5. Leave to Vote – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

6. Jury Duty Leave – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

7. Leave for Court Subpoena – If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.

8. Firefighter Leave – Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from

employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. Crime Victim Leave – Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

10. Civil Air Patrol Leave – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.

11. Coast Guard Auxiliary Leave – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.

#### Pregnancy, Childbirth and Adoption Leave

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave.

Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave. **Professional Leave**

Employees may request to attend professional meetings which will enhance their skills. The request should be made to the immediate supervisor and the superintendent and, upon approval, will be allowed to attend with no deduction in salary.

### ***Family and Medical Leave (GBBDA)***

The district will administer leave that qualifies for Family and Medical Leave Act (FMLA) protection in accordance with federal law. This policy is intended for guidance and shall not be interpreted to expand the district's responsibilities beyond the requirements of the law. For employees who are not eligible for FMLA leave, including employees who have exhausted available FMLA-protected leave, requests for leave shall proceed according to the district's established policies.

### **Definitions**

The following definitions apply to FMLA leave:

*Armed Forces* – Army, Navy, Air Force, Marine Corps and Coast Guard, including the National Guard and Reserves.

*Child* – A biological, adopted or foster child; a stepchild; a legal ward; or a child of a person acting as a parent if the child is under 18 or 18 or over but incapable of self-care due to mental or physical disability at the time that FMLA leave is to commence. For the qualifying exigency leave and military caregiver leave only, the age of the child does not matter.

*Covered Active Duty* – In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in accordance with law.

*Covered Servicemember (for qualifying exigency leave)* – The employee's spouse, child or parent under a federal call or order to covered active duty.

*Covered Servicemember (for military caregiver leave)* – The employee's spouse, child, parent or next of kin who is 1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date the eligible employee takes FMLA leave to care for the veteran.

*Instructional Employees* – Employees whose principal function is to teach and instruct students in a class, a small group or an individual setting. This term includes athletic coaches, driving instructors and special education assistants, such as signers for the hearing impaired. It does not include teachers' assistants or aides who do not have as their principal job actual teaching or

instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

*Next of Kin* – For the purposes of military caregiver leave, the nearest blood relative other than a spouse, parent, son or daughter, in order of priority as established by 29 C.F.R. § 825.127.

*Outpatient Status* – Covered servicemember assigned to a military medical treatment facility or a unit established for the purpose of providing command and control of members of the Armed Forces as outpatients.

*Parent* – The biological, adoptive, stepparent or foster parent of a "child" as defined in this policy.

*Qualifying Exigency* – Issues that arise due to covered active duty or a call to covered active duty of an employee's spouse, child or parent, including issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, parental care, and other activities as defined by 29 C.F.R. § 825.126.

*Serious Health Condition* – Illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical facility or continuing treatment by a healthcare provider.

*Serious Illness or Injury (for military caregiver leave)* – 1) In the case of a current member of the Armed Forces, an injury or illness incurred in the line of duty on active duty in the Armed Forces (including the National Guard or Reserves) or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty, that may render the servicemember medically unfit to perform the duties of the servicemember's office, grade, rank or rating; and 2) in the case of a veteran, an injury or illness that meets one or more of the standards listed in 29 C.F.R. § 825.127 and that was incurred in the line of duty on active duty in the Armed Forces, or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty, and that manifested itself before or after the servicemember became a veteran.

*Spouse* – Husband or wife. In accordance with law and for the purposes of this policy, this includes the other person with whom an individual entered into marriage as defined or recognized under state law in the state in which the marriage was entered into. If the marriage was entered into outside of any state, the marriage will be recognized if it is valid in the place where it was entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage.

*Veteran* – An individual who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the veteran. For veterans discharged or released prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, does not count toward the determination of the five-year period mentioned in the previous sentence.

## **Eligibility**

To be eligible for FMLA leave benefits, the employee must:

1. Have been employed in the district for at least 12 months (but not necessarily consecutively).
2. Have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the leave.
3. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite.

An absence may qualify for FMLA protection if it is for one of the following reasons:

1. Birth and first-year care of the employee's child.
2. Adoption or foster placement of a child with the employee.
3. Serious health condition of the employee that makes the employee unable to perform one or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
4. Care of a spouse, child, parent or next of kin who is a covered servicemember (including some veterans) with a serious illness or injury (military caregiver leave).
5. A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces.

## **Notice to Employees**

### ***General Notice***

The district will post notice to employees explaining FMLA benefits in accordance with law. If the district employs 50 or more employees, it will include FMLA notice in an employee handbook or other written guidance to employees concerning employee benefits or leave rights or will distribute a copy of the general notice to each new employee upon hiring. Notice may be provided electronically in accordance with law.

### ***Eligibility and Rights and Responsibilities Notices***

Absent extenuating circumstances, the district will provide the employee notice of the employee's eligibility to take FMLA leave and the rights and responsibilities of the employee within five business days of the request for leave or acquiring knowledge that an employee's leave may be for an FMLA-qualifying reason. Such notice will be provided at the commencement of the first instance of leave for each FMLA-qualifying reason in the applicable 12-month period, and no subsequent notice is required in the 12-month period unless leave is taken for a different qualifying reason or the employee's eligibility status has changed.

### ***Designation Notice***

When the district has enough information to determine whether the leave is being taken for an FMLA-qualifying reason, the district will provide written notice to the employee within five business days, absent extenuating circumstances, regarding whether the leave will be counted as FMLA leave. The district will notify the employee if a fitness-for-duty certification is required before returning to work and, if required, include a list of the essential functions of the employee's position. The district will notify the employee of the number of hours, days or weeks that will be counted against the employee's FMLA leave entitlement, if known. The district may designate leave as FMLA leave retroactively if the retroactive designation will not cause harm or injury to the employee.

### **Employee Notice to the District**

An employee must notify the district of the need for leave and explain the reasons for the leave so the district can determine whether the leave qualifies for FMLA. The leave may be delayed or denied if the employee fails to give such notice.

In all cases of foreseeable leave, the employee must provide notice, in the same manner that is required under the district's leave policies, to the superintendent or designee of the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave. If an employee fails to provide the required notice, the district may delay or deny the FMLA-protected leave.

When the approximate timing of the need for leave is not foreseeable, an employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case, in the same manner that notice is required under the district's leave policies. The employee or the employee's spokesperson, if necessary, shall provide sufficient information for the district to reasonably determine whether the FMLA may apply to the leave request.

If the leave is for a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance the leave is foreseeable. For all other qualifying reasons, an employee must provide 30 days' notice of the need to take FMLA leave when the need for leave is foreseeable. When 30 days' notice is not practicable, the employee must provide notice as soon as practicable and must explain upon request why 30 days' notice was not practicable.

"As soon as practicable" means as soon as both possible and practical under all the facts and circumstances of the individual case.

### **Leave Use**

For all FMLA purposes except military caregiver leave, the district adopts a 12-month leave year beginning on July 1 and ending the following June 30.

1. All eligible employees are entitled to leave for a period not to exceed 12 workweeks per leave year for:
  - ▶ The birth and first-year care of the employee's child.
  - ▶ The adoption or foster placement of a child with the employee.



- ▶ A serious health condition of the employee that makes the employee unable to perform one or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
  - ▶ A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces. The amount of leave available for a particular type of qualifying exigency may be limited by law.
1. The FMLA leave year for military caregiver leave begins on the first day that such leave is taken and runs for the following 12 months. All eligible employees are entitled to military caregiver leave for a period not to exceed 26 workweeks of leave per single 12-month period for the care of a spouse, child, parent or next of kin who is a covered servicemember. Twenty-six weeks of leave are available per covered servicemember, per injury/illness; however, no more than 26 weeks of leave may be used during each single 12-month period.
  2. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during a single 12-month period, provided that the employee is entitled to no more than 12 workweeks of leave for one or more of the following: the birth of the employee's child or to care for such child; the placement of a child with the employee for adoption or foster care; in order to care for the employee's spouse, son, daughter or parent with a serious health condition; for the employee's own serious health condition; or because of a qualifying exigency. For example, an employee could take 16 weeks of military caregiver leave and still have ten weeks available for the birth of a child. However, an employee who used ten weeks of military caregiver leave could not take 14 weeks for the birth of a child because that exceeds the 12 weeks allowed for such leave. Leave that qualifies as both military caregiver leave and leave for the serious health condition of a parent, spouse or child will be designated first as military caregiver leave.
  3. When both spouses are employed by the district and eligible for FMLA leave, the leave will be limited to an aggregate total of 12 workweeks during a 12-month period in cases where the leave is taken for the birth or first-year care of the employees' child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition. However, where both spouses use a portion of the total 12-week FMLA leave entitlement for the same qualifying event, the spouses would each be entitled to the difference between the amount he or she has taken individually and 12 weeks for another qualifying purpose. When both spouses are employed by the district and use military caregiver leave or a combination of military caregiver leave and leave for the birth or first-year care of their child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition, both employees will be limited to an aggregate total of 26 workweeks of leave.
  4. The district shall apply all appropriate paid leave to an FMLA absence to the extent allowed by law and policy, giving proper notice to the employee. If an employee's accrued paid leave is exhausted, but an FMLA-qualifying reason for absence persists or a new FMLA-qualifying reason for absence occurs, the resulting absences will continue to be protected FMLA leave until allowable FMLA leave has been used, but such absences will be unpaid.

5. When an employee has an absence that meets the criteria to be an FMLA-qualified absence, the district will designate such absence as part of the employee's total annual FMLA entitlement, even if the employee has not requested FMLA leave and/or is absent under paid or unpaid leave in accordance with law or district policy. If an employee is on a Workers' Compensation absence due to an injury or illness that would also qualify as a serious health condition under the FMLA, the same absence will also be designated as an FMLA-qualifying absence and charged against the employee's FMLA-protected time entitlement.
6. FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in increments no greater than the shortest period of time that the district uses to account for use of other forms of leave, provided that it is not greater than one hour and provided that the FMLA entitlement is not reduced by more than the amount of leave actually taken. Instructional employees may take intermittent or reduced-schedule leave to be with a healthy newborn only when the district and the employee have reached agreement for how the leave will be used.
7. The district reserves the right to require adequate certification and recertification of any FMLA-qualifying event or condition of the employee or employee's spouse, child, parent or next of kin and authentication or clarification of such certification as the district deems necessary. Failure to provide such certification when requested will result in denial of the leave, and may result in discipline or termination of employment. Employees on FMLA-designated leave must periodically report on their status and intent to return to work. The district may also require that an employee present a certification of fitness to return to work.]

### **Instructional Employees**

If intermittent leave or reduced-schedule leave equals more than 20 percent of instructional time, the district may require instructional employees who take such leave due to medical reasons to take block leave or to find an alternative placement for the period of planned medical treatment. When an instructional employee on FMLA leave is scheduled to return close to the end of a school term, the district may elect to use a special rule to prolong the employee's leave until the beginning of the next school term, thus extending the leave beyond the period where an FMLA-qualifying reason exists. In such an instance, the prolonged leave time is unpaid and is not charged against the employee's annual FMLA entitlement. In cases where the special rules for instructional employees apply, the superintendent may apply those special rules or the general FMLA rules as best serves the interest of the district.

### **Leave Protections**

The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. Eligible employees are entitled to continued participation in the district's health plan as long as they are entitled to FMLA leave protection; however, an employee who fails to return to work after the expiration of his or her allowed leave time will be expected to reimburse the district for those benefits paid, as required by law.

Eligible employees who are absent for an FMLA-qualifying reason generally may return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave, in accordance with law. However, the district has the discretion to assign employees taking intermittent leave or returning from FMLA leave to a different position or a position in a different building, grade level or classroom as long as the employee has the appropriate certification or license for the position. Depending on the circumstances, instructional employees may be assigned to substitute teacher positions, positions as in-school suspension supervisors or other district positions for which they are certificated if the district determines that such placement is necessary to ensure consistency of instruction.

The FMLA makes it unlawful for any employer to interfere with, restrain or deny the exercise of any right provided under the FMLA. Additionally, it is unlawful for any employer to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

### **Recordkeeping**

The superintendent or designee will ensure that personnel records regarding FMLA eligibility and leave are maintained in accordance with law and available for inspection, copying and transcription by representatives of the U.S. Department of Labor upon request.

### **Enforcement**

The U.S. Department of Labor is authorized to investigate and resolve complaints of violation of the FMLA. An eligible employee may bring a civil action against an employer for violations. For additional information, contact the nearest office of the U.S. Department of Labor's Wage and Hour Division.

## **Payroll Information/Fringe Benefits**

### ***Pay Periods***

Time cards are required to be received by the Central Office the 15<sup>th</sup> and 31<sup>st</sup> of each month. Support staff employees are paid on the 22<sup>nd</sup> day of each month with the exception of when a payday falls during a scheduled holiday or school recess. Direct deposit of payroll checks with an email notification of payroll stub is required.

Payroll deduction for professional membership dues (LEO, MSTA, MNEA, etc.) will be withheld if an employee gives written authorization through the association for such withholding.

### ***Salary Deductions (DLB)***

Salary deductions are allowed only upon approval by the Board of Education. A variety of deductions are currently in effect.

- ◆ Public Education Employee Retirement System of Missouri or PEERS
- ◆ Federal/State withholding taxes
- ◆ Tax-sheltered annuities
- ◆ FICA (Social Security) Medicare
- ◆ MSTA/LEO/MNEA Dues
- ◆ Credit Union

- ◆ Unreimbursed Medical/Dependent Care Expenses
- ◆ Dependent Insurance
- ◆ Life Insurance
- ◆ Preschool/MDZ Fees

### ***Retirement Plan (GDPC)***

All eligible staff must enroll in the Public Education Employee Retirement System of Missouri or PEERS. Employees who terminate their employment with the district may withdraw their contributions according to the rules and regulations of the Retirement System and must personally contact the Retirement Office in Jefferson City concerning this withdrawal. The address is P.O. Box 268, Jefferson City, Missouri 65102. The toll free number is 1-800-392-6848.

### ***Unused Leave (GCBDA)***

Employees who retire after 30 years of service will receive \$35 per day for unused sick leave, not to exceed 100 days.

### ***Social Security Program***

Unless they hold Missouri teacher certification, all employees must contribute an amount as required by law to Social Security. The Lexington R-V District also contributes an amount as required by law. Under government regulation all employee earnings must be reported with the Social Security numbers. Because of this regulation, no payroll checks can be written without the employee's Social number. Any employee noting an error in his/her Social Security number should contact the Personnel Office immediately.

### ***Life Insurance***

A term life insurance policy is provided for full-time employees. This life insurance coverage terminates upon the last day of employment. A beneficiary form must be completed and presented to the Business Office for filing.

### ***Health Insurance (GDBC)***

The board provides a basic health insurance policy, which will be furnished by the district to all full-time employees. This will not include members of the family of those who are employed. However, family members may be covered by the district plan at employee expense. In the event of retirement, health insurance may be continued with the district plan at the individual's expense. Under certain circumstances other personnel leaving the district may continue their health insurance at their expense for a specified period of time.

### ***Dental Insurance***

Full-time employees receive district paid dental insurance.

### ***Worker's Compensation***

All employees of the Lexington R-V School District are covered under the Worker's Compensation law for accidents, which occur on the job. All accidents must be reported to the immediate supervisor within twenty-four (24) hours. The district's chosen doctor will treat the injury.

The method of payment of health care costs and salary is as follows:

- ◆ The Worker's Compensation insurance provided by the district will cover health care costs. The district-provided employee health insurance program will be utilized in accordance with company rules and state and federal law.
- ◆ The employee will receive his/her regular salary while absent from work due to a job-related injury or illness.
- ◆ The employee may receive portions of his/her pay while absent from the Worker's Compensation insurance and from the district. The full day's wages will be provided; however, only the amount paid by the district will be deducted from accumulated health leave.
- ◆ Employees injured on the job may utilize the short term disability if necessary.

## **Health Records**

The Lexington R-V School District is a covered entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and is therefore subject to HIPAA privacy laws and regulations. The district declares itself a hybrid entity under the law and designates the following components of its operation to be subject to the HIPAA privacy rule:

Protected Health Information (PHI) is individually identifiable health information, including demographic data that is created or received by a provider, a health plan or insurer, a data clearinghouse, a health authority, employer, school or university. PHI can be maintained or transmitted in any form or medium individually identifiable health information includes many common identifiers (i.e., name, address, birth date, Social Security number). PHI does not include summary health information or information that has been "de-identified" according to the standards provided for in the HIPAA Privacy Rule.

The district will maintain all PHI in accordance with law. Protected health information does not include information contained in education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the Lexington R-V School District in its role as an employer.

Protected health information will only be available to designated employees who need to have access to those records in their employment capacity with the district and with other authorized entities. The district will train all employees who may have contact with protected health information on the law and the district's policies and procedures as necessary and appropriate for the employee's position. Any employee failing to comply with district policies, procedures or law may be disciplined or terminated.

The district will not intimidate, threaten, coerce, discriminate against or take other retaliatory action against any individual for exercising his or her rights; participating in any process; filing a complaint; testifying, assisting or participating in an investigation, compliance review, proceeding or hearing; or in good faith opposing any act or practice the individual believes is unlawful, in accordance with law.

The district's privacy official is:

Business Manager  
2323A High School Drive  
Lexington, MO 64067  
(660) 259-4369, ext. 5003

The district privacy official's duties include, but are not limited to:

- The development and implementation of the district's policies and procedures regarding protected health information.

- Receiving and evaluating requests for amendments of protected health information.

- Answering questions regarding privacy issues.

- Providing training to district employees.

The district's contact person is:

Business Manager  
2323A High School Drive Lexington, MO  
64067  
(660) 259-4369, ext. 5003

The district contact person's duties include, but are not limited to:

- Receiving and reviewing complaints.

- Providing information about matters covered in the district's privacy notices.

The district's security official is:

Technology Director 2323A High  
School Drive Lexington, MO  
64067  
(660) 259-4369, ext. 5003

The district security official's duties include, but are not limited to:

- Developing and implementing the district's security policies and procedures.

- Performing tests and assessments of technology safeguards at the direction of the superintendent or designee.

The district's privacy official, contact person and security official are authorized to utilize an attorney as designated by the superintendent to assist in complying with this policy and with the law.

### ***Garnishments***

All garnishments are processed under the regulations of the Federal Garnishment Law.

### ***Current Personal Information***

In the event an employee has a change in name, address, telephone number of dependents, the employee shall immediately notify his/her department's administrative office and the Personnel Office of the change.

### ***Personnel File***

A personnel file is maintained for each employee in the Board of Education Office. The file shall contain information pertinent to the individual's employment relationship with the district. An employee may review the contents of his/her personnel file in the presence of the superintendent at a mutually convenient time. All personnel files must be complete, including original teaching certificate and copy of transcript by September 15, or paycheck will be held.

## **Purchasing Information**

### ***Purchasing of Materials***

A budget is established by the Board each year. Spending is limited to the budgeted amount unless special approval is granted. Requisitions must be submitted and approved by the superintendent prior to purchase. A purchase made prior to approval and the issuance of a purchase order will result in the individual assuming responsibility for payment of the item.

- ◆ Purchases must be requested by completing a requisition form provided by the building principal, and coded with the proper code for each account or department.
- ◆ The requisition must be approved by the building principal.
- ◆ The requisition is submitted to the superintendent for signature.
- ◆ All items must be approved for purchase, and the purchase order issued by the Board office.
- ◆ All purchase tickets must be signed by the person picking up items.
- ◆ The purchase of items through the school authority for personal items is prohibited. State sales tax laws prohibit this kind of transaction.
- ◆ If you anticipate a bill that has to be paid at the time of the service, you must get approval for the payment in advance.
- ◆ All activity accounts must follow the same procedures except that the principal is authorized to issue a purchase order if the account has the funds available.

### **Receipt of Funds**

Obtain a receipt from the person receiving the funds.

- ◆ Issue a receipt if you collect funds.
- ◆ Two individuals must tabulate funds.
- ◆ Deposit all monies on a daily basis.

- ◆ Do not keep money in your desk.

#### Activity Fund Procedures

- ◆ Principals will be responsible for collecting and depositing of money for activities.
- ◆ All purchase orders must be approved by the principal. Prior to expenditures purchase orders must be issued through the building office staff.
- ◆ No fundraising projects will be initiated by any club, organization, class or individual without first receiving approval from the principal and superintendent.
- ◆ All concessions in the school will be awarded according to the needs of organizations and with respect to their goals and objectives.
- ◆ All teachers supplying students with items that are necessary for the classes such as physical education, athletics, music and laboratory supplies, other than books, will give the student a list of items needed. The student will report to the office, have the list itemized, and pay the amount. The receipt will be given to the teacher and the supplies issued.
- ◆ Organizations may not run their fund balances in the negative.

#### ***Invoices and Reimbursement Requests***

Invoice and reimbursement requests must be submitted for payment by the 7<sup>th</sup> of each month. Items submitted after this date will be scheduled for payment at the following board meeting.

#### **Accident Response and Prevention**

The school district shall be responsible for providing first aid or emergency treatment for students or members of the staff in cases of sudden illness or injury. Further medical attention to students in case of emergency is the responsibility of the student's parents/guardians or their designees.

Each principal is charged with providing for the immediate care of ill or injured persons within his or her area of supervision. A designated staff member will administer emergency aid. Procedures for handling emergencies will be established and made known to the staff in each school.

#### **Bodily Fluids**

The following Exposure Control Plan is implemented within the Lexington School District. An exposure occurs whenever bodily fluids (blood, semen, vaginal secretions, respiratory discharge, tears, vomit, urine, feces, saliva, etc. ) from one person are contacted by another person in a way that might compromise the skin barrier (needle sticks, human bites, cuts, abrasions, etc.) All possible exposures are to be reported immediately to the school nurse at each building.

The most at risk are custodians, school nurses, coaches, bus drivers and bus aides, secretaries, special education teachers and aides, and principals,. Hepatitis B vaccinations are available at the Lafayette County Health Department.

Universal Precautions is an approach to infection control. According to Universal Precautions, all bodily fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV) or Hepatitis B Virus (HBV).



Personal protective equipment (PPE), including latex or Nitrile gloves, goggles, and dust mask, are provided to all classroom teachers, coaches, building administrators and custodians. Extra supplies of these items are stored in the nurse's office at each building. All PPE which is penetrated by bodily fluids should be removed as soon as it is feasible and place in the appropriate receptacle at the nurse's office. The district will maintain appropriate containers for the disposal of needles in the nurse's office.

Hand washing facilities are provided for all students and employees of the district. Washing one's hands with soap and running water is one of the most effective ways to prevent the spread of disease through bodily fluids.

### ***Procedures for Cleaning Blood and/or Body Fluids***

Many communicable agents can be found in the blood or body fluids of humans, including in individuals with no outward signs or symptoms of infection. The district requires all district personnel to adopt routine procedures for handling the clean-up of all bodily fluid spills. The procedures, as outlined by the Center for Disease Control, are as follows:

1. If available, absorbent floor-sweeping material should be used to cover fluids to keep them from spreading.
2. Vinyl or latex gloves should be worn, and all spills should be cleaned up with absorbent towels or tissues, using soap and water.
3. If the person doing the cleaning has any open skin lesions, precautions should be taken to avoid direct exposure of the lesions to the body fluids.
4. All surfaces that have been in contact with the fluids should then be wiped with a disinfectant approved by the Environmental Protection Agency (EPA). A 1:10 dilution of household bleach can also be used, but this solution should not be mixed in advance. After the disinfectant is applied, the surface should either be allowed to air dry or to remain wet for ten (10) minutes before being dried with a disposable towel or tissue.

**CAUTION:** The diluted bleach solution should not be used for any other purpose than the cleaning process described above. Mixing this solution with certain other chemicals can produce a toxic gas. Any EPA-approved disinfectant used should be diluted according to the manufacturer's instructions. Adding more disinfectant than the directions indicate is not necessary and will make the disinfectant more toxic, potentially resulting in skin or lung damage.

5. If the gloves worn to clean up the spill are reusable, they should be washed with soap and running water prior to removal. Disposable gloves should be removed without soiling the hands and should be disposed of in an impermeable plastic bag. The hands should always be thoroughly washed with soap and water after the gloves are removed regardless of whether any contamination has occurred.
6. After exposure to body fluids, good hand washing should consist of thorough use of soap and water for at least 15 seconds.

7. It is necessary to keep one (1) or more clean-up kits on hand for such spills. The clean-up kit should consist of the following items:

- ▶ Absorbent floor-sweeping material
- ▶ Liquid soap
- ▶ Disinfectant
- ▶ Small buckets
- ▶ Vinyl or latex gloves
- ▶ Disposable towels or tissues
- ▶ Impermeable plastic bags

All of these materials should be kept together in one (1) or more central locations.

### **Emergency Procedures**

We will limit hazards by controlling access to the school. Except for the 30 minutes at the beginning of the school day and 15 minutes at the end of the day, all doors are secured against access from the outside except the main door by the office. All school personnel (staff and students) are to make sure the doors properly close and secure when exiting. Visitors must report the office when they enter the building. The office staff will screen them and issue them a visitor's badge if they are determined to be safe. Staff are expected to wear their identification badges at all times while at school. Any school personnel are expected to take appropriate action when they see an individual in the school without an appropriate identification or visitor's badge. Student should report the individual to the first staff member they can find. Staff members are expected to approach the individual, introduce themselves, respectfully ask the individual who they are and what their business is, then direct them to the office (escort them if possible). Notify the office to make sure the individual reports.

All school staff members should be familiar with the Emergency Standard Operating Guidelines for Classrooms (SOG). Those simple instructions, posted next to the door inside each classroom, are all that most staff members need to know with regard to emergency response. The SOG describes the buddy room system that is used in all buildings.

In the SOG are the following simple instructions regarding the use of fire extinguishers, which are located in all of our buildings. When a fire is detected (visible flames, visible smoke, or the smell of smoke), sound the fire alarm (continuous bell) using one of the pull stations located in each hallway.

*Fight the fire with a portable fire extinguisher only if the following are true:*

- *The evacuation of the building has been initiated and no one is dependent on you to assist in their evacuation.*
- *The fire department has been called.*
- *The fire is small and confined to the immediate area where it started.*
- *You can always keep your back to a safe escape route while fighting the fire.*
- *The portable fire extinguisher you have available is in good working order and is the proper type for the fire you are fighting.*
- *You are trained to use the extinguisher and can operate it safely.*

In the SOG are the procedures to be followed when receiving a threatening telephone call and how initiate a \*57 call trace.

Some of the staff members in each school will be asked to serve as part of an emergency response team. Each building has the following emergency response teams: first aid, mental health, security, search and rescue/HAZMAT, and family reunification. The Lexington School District Emergency Operation Plan (EOP) provides details about the roles of those teams and how they work within the incident command system. A copy of the Lexington School District EOP is located at each building office.

### **Hazardous Materials**

The hazardous materials within the district will be clearly labeled and secured when not in use. If you are involved in procuring hazardous materials, you must always provide the material safety data sheet. Post one copy of the MSDS in a clearly marked, easily located notebook within the areas where the material is stored, provide one copy to the building nurse, and provide one copy to the building principal and maintenance director.

Never bring personally owned hazardous materials to the school, including cleaning products and bug sprays. The Lexington School district practices Integrated Pest Management (IPM), which means that we contract a pest management professional to monitor with traps for pest activity before we decide what method to use in managing the pests. The use of chemical pesticides is a last option. Pesticide applications, when necessary, are made after school hours. There is a procedure for providing advanced notice regarding pesticide use and the areas treated are posted for up to 72 hours following application.

### **Health**

#### ***Smoking***

To promote the health and safety of all students and staff and to promote the cleanliness of district property, the district prohibits all employees, students and patrons from smoking or using tobacco products in all district facilities and on district transportation. This prohibition extends to all facilities the district owns, contracts for or leases to provide education services, routine health care, daycare or early childhood services to children. This prohibition does not apply to any private residence in which the district provides services.

#### ***Wellness Policy***

The primary goals of the Lexington R-V School District's wellness program are to promote student health, reduce student overweight/obesity, facilitate student learning of lifelong healthy habits and increase student achievement. The following procedures will guide the implementation of the district wellness program.

#### **Nutrition Guidelines**

The district designates the following nutrition guidelines, based on the Missouri Eat Smart Nutrition Guidelines, for foods and beverages served in schools during the school day:

*School Breakfasts* – Comply with the advanced category of the Missouri Eat Smart Guidelines. Offer breakfast cereals with at least 1 gram of fiber. Use the WIC list of cereals as a guide. Serve fresh fruit when possible, with fresh (raw) fruit being served three (3) times per week. When serving canned fruit, the fruit may be in its own juice or light syrup.

*School Lunches* – Comply with the advanced category of the Missouri Eat Smart Guidelines for all schools. Serve fresh fruits and vegetables with lunches and offer peanut butter or low fat ranch dressing for dipping. When serving canned fruit, the fruit must be in its own juice or light syrup. No candy may be sold during lunch.

*À La Carte Food Items* – Comply with the advanced category of the Missouri Eat Smart Guidelines for the elementary, middle and high schools. The ratio of healthier choices to the less healthier choices will be 2:1.

*À La Carte Beverage Items* – Comply with the advanced category of the Missouri Eat Smart Guidelines for the elementary, middle and high schools.

*Food Items Sold in Vending Machines and School Stores* – All vended food will be in compliance with the USDA regulations prohibiting the sale of “Foods of Minimal Nutritional Value” where school meals are served or eaten during the meal period. At least 20% of the items offered must exceed minimal nutritional value. By school year 2008-09 at least 50% of the items offered must exceed minimal nutritional value. No candy will be sold at the elementary school. No candy will be sold at the middle school during school hours.

*Beverage Items Sold in Vending Machines and School Stores* – All vended beverages sold will include water, 100% fruit juice, diet soft drinks and at the high school level, sports drinks. No soft drinks will be sold during the school day in any building.

*After-School Programs* – Comply with the advanced category of the Missouri Eat Smart Guidelines for the elementary, middle and high schools

*Rewards* – No foods or beverages of any kind will be given as an individual student reward for academic performance or student behavior. All reward parties will meet the Missouri Eat Smart Guidelines.

*Celebrations and Parties* – Classroom parties for the elementary building will be limited to three (3) parties per year (fall, winter holiday and Valentine’s Day). There will be a limit to one (1) snack and one (1) drink per child per party. Suggested beverages are at least 50% fruit juice or bottled water. All food items are to be individual prepackaged items. Each classroom party is limited to one (1) prepackaged take home treat. It is suggested for no edible birthday treats to be brought to school. Prizes for games played at the party may only be nonedible items.

*Fundraisers* – All foods and beverages sold are in compliance with USDA regulations of prohibiting the sale of “Foods of Minimal Nutritional Value” where school meals are served or eaten during the meal period. The fundraising procedure does not pertain to events or fundraising activities held outside of school hours.

*Intramural Activities* – All sales of food and beverage must meet the Missouri Eat Smart Guidelines. Three (3) times per year the parent or Star group may serve prepackaged food and beverages of at least 50% fruit juice or bottled water.