

WEST FRANKLIN USD

#287

Certified Personnel Handbook



"Home of the FALCONS"

2011- 2012

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CERTIFIED EMPLOYEE HANDBOOK 2010-2011

UNIFIED SCHOOL DISTRICT # 287 DISTRICT MISSION STATEMENT

We believe all students can learn. Our responsibility is to ensure students acquire knowledge, skill, and capability to function effectively as lifelong learners and responsible citizens.

PHILOSOPHY OF EDUCATION

Unified School District # 287 is organized to provide the basic elementary and secondary education which will most nearly meet the needs of every child.

The school district will strive to instill in each student: a positive self-image, self-discipline, self-respect, respect for others and others' property, a sense of patriotism, and a respect for authority.

The school district will provide a curriculum that enables individuals to think creatively, critically, and constructively, and to recognize and solve problems logically.

The school district will provide the best personnel and facilities within its means to meet the needs of all students.

The school district will emphasize that each student's family has a major role in training and educating their children. The district acknowledges that it cannot replace the family but does commit itself to assist each family in the maturing and educating processes that will enable each child to function as an effective and responsible citizen.

OUR PURPOSE

The purpose of the existence of any school district is to educate children. All employees are employed to facilitate the education of the children of the school district. Each employee should perform the duties of the position with the intent of improving the conditions for learning.

Frequently, employees and the public believe the job of education is the responsibility of teachers only. All other employees are reminded that normally their position is one of support but also a position of significance. Children learn more readily when the bus driver begins the day for the child in an appropriate atmosphere; when the food service program provides a friendly atmosphere and nutritional meal; when the facility is clean and well kept; when other support personnel are eager to meet each need of each child; and when the most important objective of every employee is to enhance the learning of each child.

This manual is designed to clarify procedure. It should be used as a reference guide whenever a question of policy arises. All faculty members should conscientiously follow this established procedure. It is through combined effort of all staff members in using this policy booklet that we can establish consistency in the method in which we handle students. However, it is recognized that policy can not be established to cover every detail or situation that might arise.

This manual in no way supersedes the policy of the Board of Education Handbook for USD # 287, or the negotiated agreement of teachers or state statutes.

Each teacher and staff member has the responsibility of being familiar with these and the district policies at all times. If you have a question or are unsure of a situation, please contact the office and together we will work out the solution.

It is the responsibility of the faculty and staff to provide a sound educational environment. This can be accomplished by cooperation among the staff, students and parents.

The West Franklin Unified School District # 287, **510 E. Franklin St.**, Pomona, Kansas 66076 does not discriminate on the basis of race, color, national origin, sex, age or handicap in admission or access to, or treatment or employment in its programs and activities. If you have any questions regarding the above, please contact:

Mr. Dotson Bradbury, Superintendent, 510 E. Franklin, Pomona, Ks. 66076, (785) 566-3396 (Title IX Coordinator, Section 504 Coordinator).

DESCRIPTIONS AND DEFINITIONS

Certified personnel are those employees that are required by the Kansas State Board of Education to hold certification, by that agency, to perform their assigned responsibilities. Such positions as teachers, counselors, librarians, school social worker, principals, assistant principals, superintendent, assistant superintendent, etc., are included as certified personnel.

Non-teaching personnel are those employees that are not required to hold certification by the Kansas State Board of Education to perform their assigned responsibilities. Such positions as custodians, cleaning personnel, secretaries, head cooks, cooks, clerks, bus drivers, treasurers, directors, nurse, teacher aide, certified teacher aids, etc., are included as non-teaching personnel.

Employment will be final upon receipt of board action, criminal history check, and any other requirements for the position.

ABSENCES

Teachers and other staff who are to be absent, due to illness or emergencies, should call the principal or supervisor at their home no later than 6:30 a.m. or as instructed by your principal. If at all possible, notify the office on the day of your absence by 3:00 p.m. if you will be absent again the next day. All substitutes must be requested through the principal or his/her designee.

Lesson plans and seating charts must be current and available for substitute teachers. Please supply any additional information that may be needed in your absence. Prepare your students to work smoothly and effectively with a substitute teacher. Leave policy is discussed in the School Board Policy Handbook and will be adhered to.

ALL employees must complete an *Employee Leave Request* form whenever they are to be gone from their job. These forms should be filled out in advance when possible. If a form cannot be filled out in advance, one should be completed immediately upon return to work.

ACCEPTABLE USE POLICY FOR STAFF

Purpose: This document is an application for the use of technology media resources, information networks, and Internet resources in the West Franklin School District. It establishes policy and provides information about acceptable use while using school resources and is therefore called an Acceptable Use Policy (AUP).

Users must sign this AUP prior to being provided access to technology resources. A copy will be maintained by the West Franklin School District.

Terms and Conditions for the use of school and district technology media resources, information networks and the Internet.

Please read the following carefully before signing this document. The signature at the end of this document is legally binding and indicates the party who signed has read the terms and conditions carefully and understands the significance.

District staff members will access technology resources, information networks and the Internet and with this comes responsibility. This document explains responsibilities and the possible consequences of any action in violation of the rules established in this AUP.

Technology resources and information networks may provide access, unauthorized or inadvertent access to sensitive, confidential or restricted files. Anyone accessing or copying such information is in violation of this AUP. Staff members may face disciplinary action. Staff members may have their access terminated. Files on the network or residing on any technology media are subject to control and inspection by administration without user consent.

Terms and Conditions

1. Acceptable Use—The use of any district-owned equipment must be in support of education and research. Use of other organization's network or technology resources must comply with the rules appropriate for that network. Transmission or reception of any materials in violation of any U.S. or state regulation is prohibited. This includes but is not limited to the following: copyrighted material, threatening or obscene material, viruses or unsolicited files, or material protected by trade secret. Use for product advertisement or political lobbying is also prohibited.

ACCEPTABLE USE POLICY FOR STAFF- Continued

2. **Privileges**—All technology resources purchased by USD #287 remain the property of the district. All technology loaned to staff are subject to be returned upon administration request or at the end of district employment. The use of technology resources, information networks, and the Internet is a privilege, not a right and inappropriate use will result in a cancellation of those privileges.
3. **Etiquette on the Network**—Users are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:
 - a) **Be polite.** Do not be abusive in messages to others. Respect opinions and beliefs. The Internet is a global community representing many races, religions, and social structures.
 - b) **User Appropriate language.** Do not respond to or engage in personal verbal attacks. Do not swear, use vulgarities, or any other inappropriate language. Avoid using slang and all caps as it is often misunderstood or may be offensive to others. Correct English is the international language of the Internet.
 - c) **Do not reveal** personal (home) addresses or phone numbers as well as those of others, unless on a secure site (<https://>) However, use caution any time personal information is requested on a website in order to avoid possible identity theft.
 - d) **E-mail is not guaranteed to be private.** People who operate the system do have access to all mail unless it is encrypted first. Messages relating to, or in support of illegal activities may be reported to authorities.
 - e) **Do not use the network in such a way** that would disrupt the use of the network by others or violate the Privacy Act, a federal law. Do not attempt to access files or use applications that are outside the scope of learning objectives. This includes, but is not limited to, school administrative information, student or teacher records and the network operating system. All communications and files accessible via the network should be assumed to be private.
4. **Security**—Security on any technology system is a high priority, especially when the system involves many users. Users must notify a system administrator or the principal if they feel they have identified a security problem on the school network(s) or the Internet. Do not demonstrate the problem to other users. Do not use another individual's account. Attempts to login to the school network(s) or the Internet as a system administrator, whether on or off district property, may result in cancellation of use privileges and disciplinary action. Any user identified as a security risk or having a history of problems with technology or network systems may be denied access to school technology resources.
5. **Vandalism**—Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data or equipment belonging to the West Franklin School District, or another user, the Internet, or any of the organizations or other networks that are connected to the Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses. Users are not allowed to use or install software unless specifically approved by administration. Users are not allowed to subscribe to non-educational lists unless specifically approved by administration. Users are not allowed to engage in non-educational, on-line activities, that will monopolize dial-up lines, connections or the network(s).

ACCEPTABLE USE POLICY FOR STAFF- Continued

- 6. Federal Law**—The U.S. Government, as well as the state government, has developed criminal statutes to promote responsible use of information services across networks. The consequences are severe for “hackers,” whether malicious or not. Title 18, United States Code, Section 1343 (covering wire fraud) and Section 1030 (covering computer-related fraud) carry stiff penalties. Penalties range from 1 to 30 years in prison and \$250,000 to \$1,000,000 in fines. The U.S. Government has also created a “cyberspace” task force to investigate possible violations of U.S. Code and gather evidence. The use of computer networks leaves and “electronic trail.”
- 7. Warranties**—West Franklin School District makes no warranties of any kind, whether expressed or implied, for the technology resources and network services it provides. The district or its employees will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by negligence or user errors or omissions. Use of any information obtained via technology resources is at the user’s own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its information resources.
- 8. Negligence**—If technology resources are damaged, lost or stolen, it is the ultimate responsibility of the employee to pay for the damage or to replace the item(s).
- 9. Exception of Terms and Conditions**—All terms and conditions as stated in this document are applicable to the West Franklin School District. They shall be governed and interpreted in accordance with the laws of the state of Kansas and the United States of America.

I, the undersigned, understand and will abide by the above Terms and Conditions for the use of West Franklin School District technology resources, networks and the Internet. I further understand that any violation of the policies above is unethical and may also constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and/or appropriate disciplinary as well as legal action taken.

User’s Signature: _____

ACCIDENTS

Accidents which involve injury to a person or damage to property should be reported immediately to the office. An accident report should be made out in detail and placed in a file for the employee’s protection, as well as the protection of the school against liability.

ADMINISTRATIVE PERSONNEL

Principals, assistant principals, superintendent, and assistant superintendents are not covered by the provisions of the negotiated agreement with the teacher’s bargaining unit. However, those provisions of leave, fringe benefits, release from contracts, reduction in force, and early retirement incentives are extended to the administrative staff through this personnel manual and those provisions will pertain to the administrative staff just as it is extended to the teaching staff.

ADMINISTRATIVE PERSONNEL-Continued

Leave will not be charged to an administrator while attending meetings that are required to successfully fulfill the responsibilities of his/her position; i.e., league meetings, special education meetings, district administrators' meetings, Greenbush meetings, etc.

Additionally it is recognized by the school board that administrators are the instructional leaders of the school district and must stay abreast of the latest trends and research affecting the education of our children. To facilitate that expectation, the school board supports principal's, assistant principal's, and assistant superintendent's attendance at a national convention, conference or national inservice appropriate to their position on a rotating basis such that each such administrator is offered the opportunity of attendance once in every two years. Such attendance must be approved by the superintendent, and pertinent information presented to the board in advance. During years that the administrator is not allowed to attend a national program, support will be given to attend an in-state conference, in-service, or convention relative to the position. Again, such attendance must be approved in advance by the superintendent. It is expected that information and hand-outs will be shared with other administrators and teachers to the benefit of the children of the district. The superintendent may attend a national conference on a yearly basis. Such attendance must be approved by the board.

Administrators are expected to fulfill all responsibilities of their position regardless of school calendar or length of the contract. Furthermore, if such responsibilities are faithfully fulfilled, each administrator may participate in any vacation or break from the school calendar to the extent that assures fulfillment of all expectations of the position.

In the absence of any administrator, other staff members, especially other administrators, are expected to assist in fulfilling the duties of the absent administrator.

Evaluation of all administrators, except the superintendent, will be completed by the superintendent in accordance to school board policy and state laws. However, it is to be understood that these are minimal guidelines and that frequency of evaluations should and will exceed these guidelines as often as needed.

Compensation for administrative personnel will be determined by the board annually.

ADVERTISING, SOLICITING, FUND RAISING AND CLASS DUES

All goods or services to be advertised or sold in the school shall have the prior approval of the superintendent. Any salesman shall first come to the office before visiting a classroom teacher. Any items to be purchased with school funds must have prior approval of the principal. This is accomplished by use of purchase orders. If you make purchases without following these guidelines, you must pay for them yourself. Sponsors of students wishing to sell merchandise must check with the principal before any sales of merchandise are planned. Any fund raising campaign, by any group, will first have to be approved by the principal and the superintendent.

Each High School class may vote dues upon themselves not to exceed \$42.00 for the total of four years. A student is eligible to participate in all activities of his/her class unless he/she fails to pay dues or help with class projects. Each organization or class may conduct one money-making project per year if approved by the Principal. Extra projects take prior Principal approval. In

ADVERTISING, SOLICITING, FUND RAISING AND CLASS DUES - Continued

general, community oriented fund-raising projects will be promoted over professional fund-raising. Money-making projects may not overlap.

Concession rights for all home football and basketball games will be determined by the administrator. If the senior class assumes this responsibility a student may not go on the senior trip if he/she does not work a minimum number of times at concessions and pay his/her dues by a certain date- both decided at the first class meeting of the year. Money will not be re-funded to seniors not going on the senior trip except for extreme illness or crisis.

The Junior Class may conduct a magazine sales campaign during September. The money from this campaign **will be used** to pay for the Junior-Senior Prom. Juniors not selling the minimum number of magazines as set by the class during the first meeting may not attend the Prom unless they pay a standard fine.

AFTER-SCHOOL DETENTIONS

Detention of students is a necessary part of the educational process. However, no student shall be retained after school without previous parent notification. An after-school detention may be served on the day it is given or the following day. Any detention involving recess or noon hour does not need prior parent notification.

ASBESTOS ABATEMENT

In 1986, Congress passed the Asbestos hazard Emergency Response Act (AHERA). That law requires all schools, kindergarten through twelfth grade, to be inspected for asbestos-containing building materials. In the past, asbestos was used extensively in building materials because of its insulating and fire retarding capabilities. Virtually any building built before the late 1970's contain at least some asbestos in pipe insulation and structural fireproofing. We also have buildings that contain asbestos materials. The primary concern arises when these materials begin to deteriorate or become damaged. U.S.D. #287 contracted with Hall-Kimbrell Environmental Services to bring our schools into compliance with the AHERA regulations. Hall-Kimbrell is the nation's largest and most experienced environmental engineering and analytical testing firm specializing in asbestos. The objectives of our contract with the consulting firm were to:

1. Sample, analyze and quantify asbestos-containing materials in our schools.
2. Determine any potential for exposure of building occupants to asbestos fibers.
3. Provide recommendations for corrective actions.
4. Establish priority levels for abatement activities.
5. Provide estimates for removal and replacement of asbestos-containing materials.

Our schools were inspected in accordance with the regulations by the EPA-accredited Hall-Kimbrell inspector. Samples of suspect materials were taken and analyzed at the firm's EPA-Accredited laboratory. Based upon those findings, a Management Plan was written which outlines our intent in controlling and abating any asbestos-containing materials.

The Management Plan has been submitted to the Governor's office, as required by the law. A copy of the Management Plan is on file for your review in the district administrative office at 510 East Franklin and individual building Management Plans can be found in each school's administrative office. The Management Plan includes an Operation and Maintenance Program developed for our schools. This program is the primary foundation by which we will control exposure to any asbestos-containing materials through a systematic schedule of monitoring, employee training, record keeping, and periodic re-inspections. Our maintenance and custodial personnel have received special training to qualify them to

ASBESTOS ABATEMENT - Continued

conduct their routine activities around asbestos, to handle accidental releases of asbestos fibers if the materials become damaged and to monitor the condition of the materials.

Hall-Kimbrell made recommendations for a phased schedule of removing asbestos-containing materials. Over the years, this removal is expected to cost approximately \$285,151. The schedule was determined by the exposure potentials, taking into consideration such factors as location, accessibility, condition, friability (easily crumbled) and the asbestos content of the materials. Concentration of asbestos fibers in building are generally lower (10,000 times) than those levels reported in asbestos industry workplaces which have been linked to disease among workers. Evidence suggests that the mere presence of asbestos in a building does not necessarily pose a hazard. Research indicates that unless asbestos is disturbed, allowing fibers to become entrained into the air, the potential health consequences appear to be negligible. However, our concern is to control the potential for asbestos to be disturbed in our schools, releasing fibers into the air. Therefore, if the material is in a state that requires its removal or containment that will be done. If the material is in controllable form, it will be systematically controlled until the phased plan calls for its abatement.

The Appanoose school buildings as of July 1990 were deemed to be free of all known friable and non-friable asbestos-containing materials.

The West Franklin Middle School, at the conclusion of the August 1988-89 abatement project, was reported to be free of exposed friable asbestos and is currently under the Operations and Maintenance Program as outlined in the District's Management Plan.

The West Franklin High School Buildings were deemed free of exposed friable asbestos at the conclusion of the August 1988-89 abatement project. The buildings are currently under the Operations and Maintenance Program as outlined in the Districts Management Plan.

The West Franklin High School, north building, was constructed at the period in time where the ACM hazard was known and thus built to asbestos free specifications. The inspection report by Hall-Kimbrell Environmental Services during our initial asbestos inspection verified this fact to be true and was incorporated as such in the Management Plan.

The Williamsburg School building was found free of friable asbestos and is currently under the Operations and Maintenance Program as outlined in the Districts Management Plan.

Supplemental Asbestos Inspections and Management Plans were requested from and results provided by Southeast Kansas Education Service (Kansas Accreditation: #KUVII6388000-24R). The Inspection covered wallboard and joint compound used in building construction throughout the district. Samples were taken in compliance with 40 CFR Part 763 Subpart E. Results were negative or less than 1% and thus none of the materials tested are considered asbestos. These test results are on file.

Please remember, copies of the Management Plan as submitted to the State of Kansas is on file for your review at either the district administrative office or school's administrative office.

ATTENDANCE OF TEACHERS

Teachers should arrive at school no later than 20 minutes before school begins and remain until 20 minutes after school is dismissed except Friday, all teachers may leave 10 minutes after dismissal.

BOOK DEPOSITORY

The district maintains a centralized book depository for all textbooks on the current curriculum and all approved novels. Requests for textbooks and novels should be made to the depository coordinator at the district office. Requests will be filled within 24 hours when books are available in the depository. Extra textbooks and novels must be returned to the depository throughout the year to insure that all students have books available in a timely manner. At the end of each school year, all textbooks not needed for the beginning of the next school year (based on projected enrollment) should be returned to the depository. All novels should be returned by the end of the school year.

BUILDING CARE AND USE

All teachers are to make sure that all lights are off when their classroom is not in use. Teachers and other staff members using the building at night are to make sure all lights are off, doors locked and the security system activated when leaving the building.

Neatness and tidiness are a part of the educational process. Teachers and other staff can help in this respect by setting a good example for students.

Cleanliness, neatness and tidiness are a part of the expected process and behavior of the class, teachers have the right and authority to ask students to assist in the cleanliness of the building.

Help the custodian by having students pick up their trash in the rooms, halls, and around the school. The extra effort is greatly appreciated.

BULLYING BY STAFF

The board of education prohibits bullying in any form, including electronic means, on or while using school property, in a school vehicle or at a school-sponsored activity or event. The administration shall propose, and the board shall review and approve a plan to address bullying on school property, in a school vehicle or at a school-sponsored activity or event.

Staff members who bully others in violation of this policy may be subject to disciplinary action, up to and including suspension pending a hearing and/or termination. If appropriate, staff members who violate the bullying prohibition shall be reported to local law enforcement.

BULLYING PREVENTION GUIDELINES

Strategies for Prevention

- Assess the school environment.
- Provide a bullying prevention and intervention training to all faculty and staff.
- Closely supervise all areas of the school.
- Update discipline plan and procedures, adopt all legally required policies.
- Utilize multiple means for publicizing clear behavioral standards and/rules.
- Consistently and fairly enforce standards and/rules.
- Encourage parent and community involvement in bullying prevention.
- Use classroom management techniques for response to classroom behavior and when needed, use appropriate discipline.

BULLYING PREVENTION GUIDELINES - Continued

Steps for Interviewing in Student Bullying Situations

- Intervene immediately to stop the bullying.
- Talk to the bully and the victim separately. If more than one student is involved in bullying behavior, talk to each separately, in quick succession. (Expect bullies to minimize (or) deny their actions.)
- Remind the bully about school and classroom rules, reiterate what behavior is expected and discuss sanctions that will be imposed for future bullying behavior.
- Reassure the victim that everything will be done to prevent a recurrence.
- Make other students aware of the consequences of the bullying behavior. Reiterate the school's policy of zero tolerance toward bullying.
- Phone the parents of both the bully and the victim as soon as possible. If possible, involve the parents in designing a plan of action.
- Continue to monitor the behavior of the bully and the safety of the victim.

CERTIFIED PERSONNEL (Non-Administrative)

Provisions regarding certified personnel are well defined through the School Board Policy Manual, the negotiated agreement, the contract, and through faculty and student handbooks.

Evaluation of certified personnel is to be completed according to school board policy and state law. However, it is to be understood that these are minimal guidelines and that frequency of observations and evaluations should and will exceed these guidelines as often as needed.

Compensation for certified personnel (except the administrators) is determined through the negotiations process.

New certified employees are placed on the salary schedule according to prior experience and training. Horizontal placement is determined by the number of graduate hours earned since earning the undergraduate degree. Undergraduate hours will only be honored if prior approval is granted by the superintendent. Step placement is commensurate with experience. A minimum of 120 days, or the equivalent of full time employment is required to advance a step on the salary schedule. The superintendent has the authority to grant additional experience when necessary to employ the best candidate.

Certified personnel that work less than a twelve month contract are not granted paid vacations and are not required to maintain time sheets. All leaves are addressed through the negotiated agreement for the teaching staff.

CHAIN OF COMMAND – RESOLVING PROBLEMS

Employees are to follow the proper “chain of command” by first contacting your immediate supervisor for resolution of problems. Exceptions may be made if the supervisor is the source of the complaint, for example, in a situation involving sexual or racial harassment. See GAAC and JGEC for details. If neither of these policies apply, employees shall first discuss all concerns with their immediate supervisor before taking additional action.

In the absence of the Principal, contact should be made with the appropriate District Administrator for serious situations that cannot wait to be resolved the following day.

CLASSROOM PROCEDURE AND DISPLAY

Each teacher will have posted in their room their daily class procedure and daily routine in an obvious display. Arrange the room for the most convenient organization possible. Place the desk, equipment and supplies where they can be cleaned around with a minimum amount of moving, etc.

COLLECTION OF MONEY

If teachers collect any money, it should not be left in the classroom. Teachers may obtain collection sheets and money containers from the office. Please insert the money, collections sheets and/or identification tag in the money container and return it to the office.

COMPENSATION, FRINGE BENEFITS, AND KPERS

West Franklin USD 287 participates in the Cafeteria 125 fringe benefit program. By Internal Revenue Service guidelines, each employee can select from a list of qualified, available insurance coverages. Selected policies reduce the compensation of the employee enabling the premiums to be paid before federal or state tax, social security, or KPERS are figured. However, employees may choose to select no program, allowing all compensation to be paid to the employee less applicable taxes and deductions.

The Kansas Public Employees Retirement System (KPERS) is mandatory by state law for employees who meet the membership requirements. The requirements are:

1. Position is not temporary;
2. Position is not seasonal;
3. Position requires at least 630 hours of work per year.
4. Position is covered by Social Security.

Currently the deduction for KPERS is 4% of the gross pay for employees hired before July 1, 2009 and 6% of the gross pay for employees hired after July 1, 2009. KPERS is deducted from tax sheltered annuities also.

Compensation for all non-teaching employees will be determined annually by the school board. The school board will make every effort to recognize the complexities of each position to compensate each employee accordingly in relationship to other employees in the district.

COPYRIGHT REGULATIONS AND “FAIR USE” RULES FOR EDUCATORS

In accordance with school board policy ECH, the following regulations will be observed to comply with the copyright laws of the United States.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or altering a product is to fall within the bounds of fair use, these four standards must be met for any of the purposes:

The Purpose and Character of the Use

The use must be for such purposes as teaching or scholarship and must be nonprofit. Fair use would probably allow teachers acting on their own to copy small portions of work for the classroom but would not allow a school system or an institution to do so.

COPYRIGHT REGULATIONS AND "FAIR USE" RULES FOR EDUCATORS- Continued

The Nature of the Copyrighted Work

Copying portions of a news article may fall under fair use but not copying from a workbook designed for a course of study.

The Amount and Substantiality of the Portion Used

Copying the whole of a work cannot be considered fair use; copying a small portion may be. At the same time, however, extracting a short sequence from a 16mm film may be far different from a short excerpt from a textbook, because two or three minutes out of a 20-minute film might be the very essence of that production and thus outside fair use. Under normal circumstances, extracting small amounts out of an entire work would be fair use, but a quantitative test alone does not suffice.

The Effect of the Use Upon the Potential Market for or Value of the Copyrighted Work

If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials is an infringement, and making multiple copies can result in greater penalties.

Prohibited Practice

No one may make multiple copies of a work for classroom use if it has already been copied for another class in the same institution; make multiple copies of a short poem, article, story, or essay from the same author more than once in a class term or make multiple copies from the same collective work or periodical issue more than three times a term; make multiple copies of works more than nine times in the same class term; make a copy of works to take the place of anthology; and may not make a copy of "consumable" materials, such as workbooks.

Permitted Practice

A teacher may make—for use in scholarly research, in teaching or in preparation for teaching a class—a single copy of the following: a chapter from a book; an article from a periodical or newspaper; a short story, short essay or short poem (whether or not from a collected work; a chart, graph, diagram, drawing, cartoons or picture from a book, periodical or newspaper; may make (for classroom use only and not to exceed one per student in a class) multiple copies of the following: a complete poem (if it has fewer than 250 words and is printed on not more than two pages), an excerpt from a prose work (if the excerpt has fewer than 1,000 words or 10 percent of the work, whichever is less) and one chart, graph, diagram, cartoon or picture per book or periodical.

A library may, for interlibrary-loan purposes, make up to six copies a year of a periodical published within the last five years, make up to six copies a year of small excerpts from longer works, make copies of unpublished works for purposes of preservation and security and make copies of out-of-print works that cannot be obtained at a fair price.

Guidelines for Off-Air Recording of Broadcast Programming for Education Purposes

A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a period not to exceed the first 45 consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately.

COPYRIGHT REGULATIONS AND "FAIR USE" RULES FOR EDUCATORS- Continued

Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once, only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in

the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 calendar day retention period. "School days" are school session days - not counting weekends, holidays, vacations, examination periods or other scheduled interruptions—within 45 calendar day retention period.

Off-air recordings may be made only at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recordings.

After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes by the teacher, i.e., to determine whether or not to include the broad-cast program in the teaching curriculum. They may not be used for student exhibition or any other nonevaluation purpose without authorization.

Off air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast programs as recorded.

Computer Software

District employees may make a back-up copy of computer programs as permitted by current Federal Law. Back-up copies may be used for archival purposes only and all archival copies shall be destroyed in the event that continued possession of the computer program should cease to be rightful.

When software is used on a disk-sharing system, efforts shall be made to secure this software from copying.

Illegal copies of copyrighted programs shall not be made or used on school equipment.

CREDIT CARD USE

Staff use of a district credit card shall be confined to necessary school business. The board shall annually prescribe limits and restrictions on the use of credit cards and shall monitor monthly receipts and reimbursement expenses. Credit card use shall be reported monthly to the board.

Staff seeking information about credit card use should visit with their administrator or the clerk. A district credit card may be checked out to a staff member if there is a legitimate need, and the employee is unable to use his or her own credit card before seeking reimbursement. Deliberate misuse of district credit cards is grounds for termination and reporting of criminal activity.

(see appendix F)

CRISIS MANAGEMENT PLAN

Each school has a crisis management plan to direct the staff on procedures to follow in the event of a crisis. In the event of a crisis, a predetermined and trained team of personnel will be in charge of the situation. Please recognize and respect the massive responsibility of the team during a crisis.

Because of advance planning and training, the school has confidence in the team's ability to maintain a safe and orderly environment during a crisis. However, during a crisis we recognize that parents are very anxious to know of their child's well being. Parents also may want to remove their child from the school to protect that well being. Should a crisis occur, all children must be accounted for at all times. Therefore, if the parent wishes to remove the child from the crisis, the child must be checked out from the school office.

Following a crisis, some or all students may need counseling to help deal with grief. The crisis team will determine such needs. However, parents need to realize grief needs to be dealt with at home also and therefore some of the responsibility for counseling will rest with the family through other agencies.

DISCIPLINE

Consistency and a real concern for a child's development are the keystones to classroom discipline. Establish clear guidelines for classroom behavior involving students whenever possible in the decision making process. Be sure the students know what is expected of them. An organized approach to the establishing of a well-rounded classroom policy will go a long way toward prevention of discipline problems. By respecting each student as an individual, teachers can earn their cooperation. Above all, maintain perspective. Teachers are professional educators employed to bring about behavior changes in students, which may be as important a part of the educational process as the teaching of the academic skills. Teachers are expected to be mature as well as professional in handling students.

Teachers should make every effort to establish and maintain a positive learning environment with strong classroom management procedures. Teachers should develop positive-based discipline for their class. The plan should provide for individual personal counseling by the teacher in meeting each student's physical, intellectual, social and emotional needs. Positive consequences should be established for appropriate behavior including recognition and privileges. These are balanced by logical consequences for inappropriate behavior. Clear expectations and consequences guide students in their decisions as they learn the skills needed for life long success. Within this structured framework, the staff builds a caring climate which

DISCIPLINE - Continued

fosters student's growth in self-discipline and personal responsibility. Each teacher reviews their plan and fully explains the consequences at the beginning of the year. Students are then free to choose to behave or misbehave, knowing what the consequences will be. The teacher communicates their plan to the parents at the beginning of the year. Revisions in the plan may occur by working with the principal and communicating changes with students and parents.

In addition to the classroom, the teacher's responsibility for establishing and enforcing effective discipline includes supervision of other parts of the building and school grounds. Teacher's responsibilities continue in the hall, rest rooms, playground, during noon hour, recess, beginning and end of the school day, school sponsored events and activities. Whenever a situation occurs that requires supervision, the teacher should assume the responsibility rather than wait for someone else to do it.

Students should be sent to the principal's office after other efforts to correct the situation and to modify the behavior have been made. It should be identified as the last step in the discipline plan with a provision made for severe disruption. The teacher should handle mild offenses, occurring outside the classroom, i.e., on the playground or hallway, in a private conference with the student. Public embarrassment should be avoided. If repeated efforts fail or a flagrant disorder occurs, the teacher should involve the principal and parent. When sending the student to the office the teacher should provide sufficient information to help make a fair, just, and prompt decision.

To help clarify distractions between minor offenses and major flagrant infractions, please use the following guidelines.

1. Problems involving the group and individuals.
 - A. Mild offense
 1. inattention
 2. whispering (causing inattention or disturbances)
 3. uncalled for laughing and/or giggling
 4. playing with objects
 5. aimless activity
 6. annoyances of others
 7. discourtesy
 - B. Flagrant violations
 1. deliberately throwing objects
 2. planned or intentional disturbances designed to cause commotion
 3. intentional discourtesy, defiance, refusal to obey
 4. refusal to do any work
 5. cheating, lying, stealing
 6. fit of anger, profanity
 7. fighting

DRESS CODE

All employees are expected to set a good example. Be neat, clean and well-groomed.

DRUG FREE SCHOOLS

Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action which is provided for in district policies or the negotiated agreement.

A copy of this policy shall be provided to all employees.

(See Board Policy, GAOB-R-2)

ELECTRICAL DEVICES

There will be a \$30 charge, per item, for any electrical device you choose to have in your room/office. This would include items such as a coffee maker, mini-fridge, micro wave, space heater and etc.

ELECTRONIC MAIL

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

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

EMPLOYEE CONDUCT

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

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

Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action which is provided for in district policies or the negotiated agreement.

EMPLOYEE CONDUCT - Continued

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

(See Board Policy: GAOB)

END OF SCHOOL RESPONSIBILITIES

1. Check in grade books.
2. Check in keys, unless special permission is given and forms are signed showing the reasons.
3. Updated Fixed Asset Packets must be turned in to principal.

EVALUATION

The evaluation of teachers is to be a positive instrument and a method by which communication can become a constructive medium of growth and understanding. The district adopted form will be used for evaluation of teachers. (*See Appendix C - Evaluation of Certified Staff*)

FACULTY MEETINGS AND COMMUNICATIONS

The staff will be expected to attend weekly faculty meetings (if meeting is necessary). The meeting date and time will be established at teacher fall inservice. The principal will notify the staff in advance. All teachers are expected to attend faculty meetings, unless excused in advance by the principal. Any teacher wishing to be placed on the agenda should make arrangements with the principal. Office memos may also be utilized to facilitate communication.

FIELD TRIP POLICY AND PROCEDURE

A field trip is defined as any group or class leaving the building or grounds for any length of time. All field trips must have a purpose related to the subject area instigating the field trip.

1. Approval of field trip by the principal.
2. Field trip should be scheduled through the principal's office.
3. Teacher will notify the faculty a week in advance of a planned field trip, if at all possible. (especially if it involves students of another class).
4. Teachers must have written permission slips from parents before a student may attend a field trip.
5. The day prior to a field trip, the teacher taking the field trip will supply the office and faculty with a list of students going on the field trips
6. Field trip goals and objectives are to be turned in to the principal in writing.

FIXED ASSET INVENTORY

Whenever an item is received that is valued at \$100.00 or more, the item must have a bar-code affixed to it for fixed asset inventory records. The bar-code should be affixed to the item by the staff member receiving the item.

Additionally, if a fixed asset item is to be transferred or discarded, the principal must be notified prior to discarding or transferring the item. There is a specific form to be completed when discarding or transferring items.

In order to make this process as simple as possible, each room throughout the district has its own Fixed Asset Packet. Each packet contains the following items:

- 1) New fixed asset information form.
- 2) Bar codes to be placed on new items.
- 3) Fixed asset disposal forms.
- 4) Map of school building.

Please keep the Fixed Asset Inventory in your room up-to-date so that you aren't playing catch-up at the end of the school year. The packets must be turned in to your building principal as part of the checkout process at the end of each school year.

FRAUD PREVENTION PROCEDURE

All employees shall act with integrity and due diligence in matters involving district resources. Annually, by direction of the superintendent, the general contents and directions contained in the procedure shall be conveyed to all staff members.

Definition

As used in this procedure, "fraud" refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relations to district assets, including theft of funds, securities, supplies, or other district properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentially safeguards concerning financial information
- Violating board conflict of interest policies.

Mishandling district financial records or assets (destroying, removing or misusing).

Staff Responsibilities

Employees who believe financial fraud, impropriety or irregularity has occurred shall promptly report those suspicions to their immediate supervisor and/or the superintendent who shall have the primary responsibility for initiating necessary investigations. Investigations shall be conducted with coordination with internal or external departments and agencies as appropriate.

FRAUD PREVENTION PROCEDURE - Continued

Internal Controls/Investigations

The superintendent shall develop internal controls to aide in preventing and detecting fraud or financial impropriety or irregularity within the district. Reports of suspected fraudulent activities shall be investigated in a manner that protects the confidentiality of the parties and avoid unfounded accusations. Employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates occurrences of a fraudulent activity, the superintendent shall issue a report to appropriate personnel and to the Board of Education. Final disposition of the matter and any decision to file a criminal complaint or refer the matter shall rest with the Board. Results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

FREE ACCESS TO DISTRICT INTERNET FOR EMPLOYEES WITH 566 EXCHANGE

Currently employees of 287 with a 566 exchange can have free access to the district internet. In the event an overload of users becomes a problem for normal operation of the system, it may become necessary to reduce the number of users. If an overload occurs certified teachers serving in a certified capacity under continuing contract law, and office staff will have access to the district internet service without charge. The purpose of this access is to plan lessons and research topics relevant to the staff member's job description.

GRIEVANCE POLICY GAE for UNIFIED SCHOOL DISTRICT 287

A. Purpose

The purpose of this procedure is to provide for the orderly and expeditious adjustment of grievances of individual employees of Unified School District No. 287, Franklin County, Kansas, at the lowest level.

B. Definitions

- (a) Grievance shall mean any alleged violation of the terms and conditions of an employee's contract of employment.
- (b) "Grievant" means an employee of the Unified School District No. 287, Franklin County, Kansas, having a grievance.

C. Procedure

In General. The adjustment of grievances shall be accomplished as rapidly as is possible. To that end, the number of days within which each step is prescribed to be accomplished shall be considered as maximum and every effort shall be made to expedite the process. Under unusual circumstances, the time limit prescribed in this statement may be extended or reduced by mutual consent of the grievant and the person or persons by whom his grievance is being considered.

Level 1: A grievant shall first take up his grievance with his immediate administrative superior in informal conference(s) within fifteen (15) school days after the occurrence of the event upon which a grievance is based or after the grievant becomes aware of such event. If the employee is dissatisfied with the outcome of the initial conference(s), he may request a formal conference with his immediate supervisor. Every effort should be made to develop an understanding of the facts and issues in order to create a climate which will lead to a solution. The formal conference shall occur within ten school days of the last informal conference.

GRIEVANCE POLICY GAE for UNIFIED SCHOOL DISTRICT 287 - Continued

Level 2: In the event that the aggrieved person is not satisfied with the disposition of his grievance at Level 1, or in the event that no decision is reached within ten (10) school days after a formal presentation, he may appeal the matter in writing to the superintendent of schools.

If the grievant appeals the grievance to the superintendent, the superintendent or his designated representative shall confer with the grievant in an effort to arrive at a satisfactory solution within ten (10) school days after the appeal has been received by the superintendent.

Level 3 If the grievance is not adjusted to the satisfaction of the grievant or if no decision is made thereon within twenty (20) school days after the date the grievance was filed with the superintendent or his/her designated representative under Level 2, then the grievant may appeal the grievance to the board for the purpose of final adjustment of the grievance

by submitting a written request to the clerk of the board within ten (10) school days after the superintendent or his/her designated representative has rendered a decision or after the expiration of said twenty (20) days.

The board shall follow the rules below:

The board, upon receipt of a complaint or grievance, may assign a hearing officer to hear such complaint or grievance and make findings and recommendations to the board. Such findings and recommendations shall be made to the board within 10 days after the complaint or grievance has been assigned to the hearing officer. The board shall rule upon such complaint or grievance within thirty (30) school days after receipt of the findings and recommendations of the hearing officer.

D. Rules for Conducting a Grievance Procedure Hearing at Level 3

- (1) The hearing will be conducted in executive session.
- (2) Efforts will be made by all participants to eliminate repetitious testimony and/or materials to the board; however, each participant will be given reasonable time to present his testimony and/or materials.
- (3) The grievant will make its opening remarks and present his case.
- (4) The administration will make its opening remarks and present its findings in the case.
- (5) Witnesses will be called individually by the grievant and administration to testify before the board. The board may call additional witnesses and may authorize witnesses being called as a group.
- (6) The grievant and the administration may ask questions of the witnesses during the time they are testifying.
- (7) Members of the board may ask questions of all participants during the hearing.
- (8) A summary statement may be made to the board by the grievant at this time.
- (9) A summary statement may be made to the board by the administration at this time.
- (10) Any new material injected into any summary statement may be rebutted.
- (11) The board will take the matter of the grievance under advisement and render its decision in written form to the grievant within 45 days of the hearing.
- (12) The decision rendered by the board shall be the final disposition of any grievance.

GRIEVANCE POLICY GAE for UNIFIED SCHOOL DISTRICT 287 - Continued

E. Supplemental Conditions

- (1) All individuals involved, and all others who might possibly contribute to the acceptable adjustment of a grievance, are authorized and urged to testify with full assurance that no reprisal will follow by reason of such participation.
- (2) Upon the final determination of the grievance, the documents, communications and records relating thereto, excepting a record of the grievance and the final adjustment thereof and excepting records required by law to be kept and maintained, shall be destroyed.
- (3) At each step of the procedure, the grievant shall be entitled to be accompanied by others who might contribute to the acceptable adjustment of the grievance and/or to be represented by legal counsel.
- (4) All grievance hearings shall be confidential.
- (5) All discussions and hearings shall be conducted at times other than when school is in session.
- (6) Excluded from the grievance procedure shall be matters for which law mandates another method of review.
- (7) Only the employee affected may file a grievance or an appeal from Levels one (1) and two (2).
- (8) The filing of a grievance at all levels beyond the informal conference in Level one (1) shall be in writing and shall be reasonably specific as to the nature of the complaint. The grievance should, to the extent possible, describe the alleged event or act giving rise to the grievance including the time, date and place of the event or act and the names and addresses of any witnesses thereto.

Approved: 7/13/04 by Board of Education

HAZARDOUS WASTE INSPECTION AND DISPOSAL

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

HEAD LICE

Students may not attend school if infected with head lice. Students may return to school after treatment with an appropriate shampoo, when they are nit free. This is usually accomplished in two days or not longer than three days. Any student who is absent more than three days with head lice could be counted as truant or as having an unexcused absence. The principal or their designee will make the determination when a student is nit free.

HEALTH CERTIFICATION

All employees of the school district, who come in regular contact with the pupils of the school district, are required to submit a certification of health signed by a person licensed to practice medicine and surgery under the laws of any state on a form prescribed by the secretary of health and environment. The certification shall include a statement that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test. If at any time there is reasonable cause to believe that any such employee of the school district is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health. (KSA 72-5213)

HEALTH INSURANCE

The board will provide a single policy of health insurance from a Board selected insurance program. An employee must be under contract a minimum of 25 hours per week to be eligible for the defined benefits.

HOMEWORK

Homework should develop from, and be in support of, the regular class work. Homework is that additional preparation, in a given study area, which is either assigned, suggested, or approved by the pupil's teacher. The study is to be completed within a specified time and normally is of such length and /or of such a nature that the learner must complete part of the assignment during non-class hours. Any homework assignment should be of the nature that is designed to improve the student's knowledge and/or study habits. Homework should **not** be new learning. Homework for the sake of homework is non-acceptable. Middle school teachers need to be cognizant of other teacher's homework assignments so as not to burden student with excessive homework.

IN-SCHOOL SUSPENSION

Many times in-school suspension is a more useful alternative than out-of-school suspension. In-school suspension will be a discretionary decision of the principal, based upon circumstances of each case.

In-school suspension will be considered an "excused" absence. Teachers will be notified of such a suspension.

Students on in-school suspension will be isolated from the other students. A notice will be mailed home and a parent conference may be requested. Students will complete their normal assignments during in-school suspension.

INSERVICE WORKSHOPS

Teachers are expected to attend all inservice workshops in the same manner as they are expected to attend teachers meetings, unless previously excused by the principal.

JOB DESCRIPTIONS

Job descriptions have been developed for all non-teaching and certified staff. (*See Appendix D*)

KEY POLICY

Teachers and other staff will be responsible for the use of their school keys. Teachers and staff members will sign a card that requires a fee to be paid if keys are lost. Keys are not to be given to others.

LEAVE - ABSENCES

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

ALL employees must complete an *Employee Leave Request* form whenever they are to be gone from their job. These forms should be filled out in advance when possible. If a form cannot be filled out in advance, one should be completed immediately upon return to work.

LEAVE - CIVIL

1. Civil Leave with Pay:
 - A. An employee shall be given necessary time off with pay (the difference between regular pay and pay received for performing civil duties) when:
 - (1) Performing or appearing for jury duty; and,
 - (2) Appearing in court as a witness in answer to a subpoena when in an official capacity in connection with USD 287 or as an expert witness either because of professional or observed knowledge.
 - B. Employees granted civil leave shall surrender such pay, less mileage, that has been awarded for civil duties to USD 287, in order to receive his/her regular pay.
2. Civil Leave without Pay:

An employee who is involved in court either as a plaintiff, defendant, or witness in a case not resulting from his/her duties with USD 287, may be granted leave without pay unless the employee elects to utilize any available personal leave. (*See Negotiated Agreement, Appendix A*).

LEAVE - EXTENDED ILLNESS

A teacher who is unable to teach because of personal illness may be granted an extended leave of absence for up to twelve months from the date of the approved extended leave. Such leave shall be without pay or benefits, except as may be required by law (see Leave-Family Medical Act- Personnel Manual). Pay reduction shall be computed in accordance with Article I, Section I, paragraph 3. In the event the illness extends beyond the 12 week period as described in the Family Medical Leave Act, the employee shall be allowed to remain in the district's health insurance plan. The employee shall be responsible for the entire premium. The cost of the premium shall be paid to the Board Clerk by the 25th of the month.

a. Leave Application

To be granted extended illness leave, a letter of application must be made to the board of education. The leave requires a statement from a licensed physician which identifies the diagnosis and prognosis of the illness, and attests to the characteristic of the illness that prevents the teacher from continuing his/her teaching duties. The district will retain the right to obtain additional information about how the illness related to the teacher's inability to perform his/her responsibilities, including requesting a second opinion from a physician of the district's choice. If the district exercise its right to obtain a second opinion, all medical costs associated with the second opinion will be the responsibility of the district.

If a teacher on extended illness leave becomes eligible for disability benefits and/or Medicare, he/she is required to notify the district's business office immediately.

LEAVE - EXTENDED ILLNESS - Continued

b. Reinstatement

When a teacher on extended illness leave is able to return to work, it will be necessary to provide a written release from a physician which indicates the teacher is able to resume his/her job responsibilities. The district retains rights for a second opinion from a physician of its choosing under the same conditions in item a. above.

Upon return, the district will attempt to place the teacher in an assignment similar to the one held prior to the extended leave. However, the district retains the right of assignment and may modify the assignment of the teacher from that held at the time of the leave (but not the amount of contract time).

Upon return, the teacher shall retain tenure, salary schedule placement and eligibility for the district's early retirement program at the same level as at the time the teacher left active employment. No additional benefits in any of the preceding areas shall accrue to the teacher during an extended leave of absence.

LEAVE - FAMILY AND MEDICAL

Family and medical leave as required by federal law shall be granted for a period of not more than 12 weeks during a 12-month period. For the purpose of this policy, a 12-month period shall be defined as a fiscal year beginning on July 1 and ending the following June 30. Spouses employed by the district may only take an aggregate of 12 weeks of leave for a birth or adoption of a child within a 12-month period.

Leave is available for the following:

1. The birth of a son or daughter of the employee and to care for the newborn;
2. The placement of a son or daughter with the employee for adoption or foster care and to care for the newly placed child;
3. To allow the employee to care for a spouse, son, daughter or parent with a serious health condition;
4. A serious health condition of the employee that makes the employee unable to perform the job functions of his or her job;
5. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty (or has been notified of an impending call or order to achieve active duty) in support of a contingency operation; and
6. The need to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the service member. Eligible employees are, for reason (6) only, entitled to a combined total of 26 workweeks of leave during a 12 month period.

(Leave for reason 1 or 2 must be taken within 12 months of the date of birth or placement of the child.)

This leave shall normally be unpaid leave. However, if the employee has any paid vacation, personal, or sick leave that is available for use because of the reason for the leave, the paid leave shall be used first and counted toward the annual family and medical leave.

LEAVE - FAMILY AND MEDICAL - Continued

The superintendent will notify the employee of the beginning date of family and medical leave and the amount of the employee's accrued paid leave designated as family and medical leave.

The employee is eligible for family and medical leave if he or she has been employed by the district for at least 12 months and has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the FMLA leave.

During the period of any unpaid family and medical leave the board shall continue to pay the employer's share of the cost of group health benefits in the same manner as paid immediately prior to the leave. Any employee portion of the cost shall be paid by the employee to the clerk of the board on the payroll date or other time as the employee and superintendent may agree prior to the commencement of the leave. The board may terminate group health coverage if the employee's portion of the payment is not received within 30 days of the due date so long as written notice of the delinquency in payment and the notice of intent to terminate coverage are sent at least 15 days prior to the termination.

When leave is foreseeable, the employee shall give written notice 30 days in advance. If leave is not foreseeable, notice will be given as soon as practical.

Upon the employee providing notice of need for leave, the employer will notify the employee of the following within 5 business days, absent extenuating circumstances:

1. Whether or not the employee is eligible for FMLA leave; the reasons that leave will or will not count as family and medical leave;
2. Any requirements for medical certification;
3. Employer requirement of substituting paid leave;
4. Requirements for premium payments for health benefits and employee responsibility for repayment if employer pays employee share;
5. Right to be restored to same or equivalent job; and,
6. Any employer required fitness-for-duty certifications.

Family leave (reasons 1 or 2) may not be used intermittently or on a part time basis without the prior approval of the superintendent.

The superintendent may require an instructional employee to continue leave until the end of a semester if the leave begins more than five (5) weeks before the end of a semester, lasts more than three (3) weeks and the return would occur during the last three (3) weeks of the semester.

If the leave is for a reason other than the employee's serious health conditions, or for a qualifying exigency as described in section (5) above, the superintendent may require an instructional employee to continue leave until the end of a semester, if:

1. The leave begins in the last five (5) weeks of a semester, will last more than two (2) weeks and the return to work would occur in the last two (2) weeks of a semester; or,
2. The leave begins in the last three (3) weeks of a semester, and lasts more than five (5) days.

LEAVE – FUNERAL

In the event of the death of a family member, the certified employee shall be granted funeral leave. Funeral leave shall range from one (1) day to a maximum of three (3) working days for each occurrence. A family member shall include the children, grandchildren, parents, spouse, grandparents, brothers, sisters, or the same relation to your spouse. A dependant totally under the employee's care will qualify under this provision. Funeral leave in excess of three (3) working days shall be considered as leave without pay unless the employee elects to use personal leave. If funeral leave and personal leave are exhausted, an employee may elect to use sick leave.

LEAVE – LEGAL

Legal leave shall mean time away from the job for prosecuting or defending a legal action or for testifying either in a court of law or before an administrative body. If a teacher is a plaintiff in an action against the district, this rule shall not apply. Time away from the job shall be taken as provided in policy and covered by other leave district provisions. Appropriate employees should reference the negotiated agreement.

LEAVE – MILITARY LEAVE

Employees are entitled to military leave under the Uniformed Services and Reemployment Act of 1994. The Act applies to military service that began on or after December 12, 1994 or military service that began before December 12, 1994 if the employee was a reservist or National Guard member who provided notice to the employer before leaving work.

See Board Policy: GARID

LEAVE - SICK AND DISCRETIONARY

The Board shall allow 10 days discretionary leave each year. For the purposes of retirement, resignation, or termination, discretionary leave shall be earned at a rate of one day per month, beginning in August and ending in May. Unused discretionary leave is noncumulative, but may accumulate as sick leave. At the end of the contract year any teacher having accumulated more than 60 days sick leave, shall be reimbursed at the lesser amount presently paid for a substitute teacher per day for all days in excess of 60 days. The leave days may be taken with full pay by a teacher for the following reasons and are subject to the following conditions:

1. Personal illness or disability.
 - A. The teacher may use all or any portion of his/her leave to recover from a personal illness or disability.
2. Illness or injury in the immediate family.
 - A. Immediate family includes children, grandchildren, parents, spouse, grandparents, brothers, sisters, or same relation to your spouse.
 - B. A dependant totally under the employee's care will qualify under this provision.

The teacher may use all or any portion of his/her leave under this provision.

LEAVE - SICK AND DISCRETIONARY - Continued

3. Discretionary leave may be used for sick leave or for the conduct of personal business which cannot be reasonably conducted during hours when school is not in session. Teachers shall properly file a form of notification in advance of a temporary leave for personal business. Teachers shall neither take temporary leaves for personal business on days immediately before or after Board adopted non-working days or on in-service days or parent/teacher conference days nor during the first and last weeks of the school year except in cases of extenuating circumstances when authorized by the principal. **Those to whom such leave is granted will be required to forfeit two (2) discretionary days for each day granted.**
4. Professional Improvement: A maximum of three (3) days may be used by each employee for his/her improvement. Professional improvement days may be used for any educational purpose including association business. The time and place of the professional training shall be planned with his/her principal at least one week in advance of his/her absence. These days will not be charged to sick leave or personal leave.
5. An employee, certified or non-teaching, may transfer any or all unused sick leave (not subject to the sick leave bank) to another certified or non-teaching employee when an emergency arises and the effected employee has exhausted his/her accumulated sick leave. This would only be allowed at the request of the employee who has the sick leave to give, and also the approval of the Board.
6. For each day that a teacher receives compensation for disability under the compensatable illness or accident arising out of or in the course of employment, the teacher's sick leave salary shall be reduced by the amount of worker's compensation disability payment received by that teacher.

(If any provisions of the leave policy are contrary to or in violation of the Family Medical Leave Act of 1993, the provisions of the Family Medical Leave Act shall take precedence.)

LESSON PLANS

Lesson plans are required of all teachers and all teachers will turn in copies of weekly lesson plans if required by the principal. Lesson plans must state the specific objectives for each class. Lesson plans are important for several reasons:

1. for the teacher to be prepared for each class;
2. to assist the principal in analyzing the instructional program; and,
3. to be prepared should an emergency arise and a teacher would not be available to prepare plans for a substitute.

Proper planning and teaching eliminates most discipline problems.

NUISANCE OBJECTS

Nuisance objects that may create problems are not permitted at school. Nuisance objects are those items which may create a disturbance, distraction or endangerment during the school day. The principal has the right to determine what items may be considered a nuisance. The bringing of items with the intent to sell or trade is not permitted.

PARENT/TEACHER CONFERENCE

1. Parent conferences will be held following the first nine weeks grading period.
2. Be pleasant and informative to parents during this conference. A written guide about the child might prove to be helpful.
3. Be positive.
4. Concentrate on two or three things with the parent which will help the child.
5. Conferences last approximately 15-20 minutes. The office will schedule conferences the week preceding the conferences.
6. More can be accomplished on two or three items than to attempt to discuss the complete history of the child.

PAYCHECKS, REIMBURSEMENT BILLS AND MILEAGE

Pay checks will be issued on the 20th of every month, unless the 20th falls on a weekend or holiday and then they will be issued to the closest date preceding the 20th.

A mileage reimbursement e-requisition AND the supporting documentation is due to the District Office by the 25th of each month. (If you have any questions, see your building secretary).

Mileage is paid at monthly Board of Education meetings and will be mailed or available for pickup the day after board meetings

PROFESSIONALISM

Teachers are viewed as role models by students and parents. Therefore, teachers should strive to be a positive influence as much as is humanly possible. Proper planning and preparation, and a specific classroom management plan will eliminate many problems teachers encounter.

Concentrating efforts on the use of effective teaching through the use of the Essential Elements of Instruction will help the teacher and the students focus on the subject at hand. If teachers give students time to fill and that time is not structured, problems can be expected. Learning happens in well structured, organized, and disciplined classrooms.

An area of concern to keep in mind is talking about students. Teachers should refrain from discussing students in a negative manner while on duty at school or at school activities. Discussions about students should be held in private and be centered on school concerns. Do not discuss students in situations where other students or persons may hear the conversation. Personal concerns about students should be referred to the principal, counselor, or other appropriate person.

When communicating with students, parents, or other persons, teachers must use proper language refraining from using: vulgar or inappropriate language; name calling; student put downs; and so on. The use of good human relations skills will go a long way in promoting a positive school environment.

REPORT CARDS

The teacher will issue report cards on Wednesday following each nine weeks grading period. All grades must be recorded in the grade book. A progress report will be sent out at the end of the fourth week or the start of the fifth week of each nine weeks. These reports should be sent to parents of those students who the teacher has some doubt as to their ability to receive a passing grade at the end of the grading period.

RETENTION

No student may be retained without parent notification of the situation as early as possible in the school year. The final decision will be made during a conference with the teacher, parent and principal. When a student is promoted against the advice of school officials, the record shall so note. (*See Board Retention Policy - Appendix B*)

RETIREMENT

Typically, every person eventually looks forward to retirement. It is the goal of the school district to assist employees in the transition from employment to retirement. Central office staff will assist each employee in completing necessary paperwork, and in gathering information for retirement planning.

The certified staff is extended retirement pay for unused sick leave as described in the negotiated agreement. The non-teaching staff will receive compensation per day for accumulated sick leave upon retirement as stated under Non-teaching Personnel. To be eligible for such pay, the employee must leave employment of the school district and either draw retirement benefits from KPERS and/or Social Security, or permanently withdraw from the work force through other retirement benefits.

Early Retirement - (*See Negotiated Agreement, Appendix A, Pgs. 14-16*)

SCHEDULING OF ACTIVITIES AND PROGRAMS

In May all programs and activities will be placed on the school calendar for the following year. Any additional programs and activities must be placed on the school calendar no less than two weeks in advance of the date of the event.

SEPARATION AND DISCIPLINARY ACTIONS

Resignations must be tendered in writing and accepted by the school board. A resignation may be withdrawn by the employee at any time prior to the effective date, or prior to school board acceptance if a replacement has not been hired.

Any actions by an employee which reflects discredit upon the school district or is a hindrance to the effective performance of the schools shall be considered cause for disciplinary action. Such action may be in the form of an oral or written warning, reprimand, suspension, or dismissal. Dismissals will be the responsibility of the school board.

SEXUAL/RACIAL HARASSMENT

Sexual/Racial harassment will not be tolerated in the school district. Sexual/racial harassment of employees or students of the district by board members, administrators, certified and support personnel, students, volunteers, vendors, and any others having business or other contact with the school district is strictly prohibited.

(*See Appendix B - Board Policies - Sexual/Racial Harassment GAAC/GAACA*)

Any student who believes that he or she has been subjected to sexual/racial harassment should discuss the alleged harassment with the principal, guidance counselor, or another certified staff member.

SEXUAL/RACIAL HARASSMENT -Continued

If the matter is not resolved to the satisfaction of the student in this meeting, the student may initiate a complaint under the district's discrimination complaint procedure.

The filing of a complaint or otherwise reporting sexual/racial harassment will not reflect upon the individual's status nor will it affect grades, future employment or assignments. Confidentiality will be maintained throughout the complaint procedure.

(See Appendix B - Board Policies - Sexual Harassment JGEC)

SICK LEAVE POOL

1. The purpose of the sick leave pool is to provide a continuing income for all employees who are faced with illness or injury to themselves, and have used all their leave days. A written request for any use of the sick pool will need to be completed and filed with the committee chair. Any cancelled school days occurring while on sick leave will not be counted against the employee.
2. A committee will be formed consisting of the Superintendent, the President of the West Franklin Teachers Association, and the Clerk of the Board. The Clerk of the Board shall chair the committee for the sick leave pool.
3. An application form completed by the requesting employee (or by his/her local designee) shall be sent to the Chair and shall serve as notification for the committee to be notified by email, phone, or memo and/or to meet. The application will be considered an emergency request and the committee will make a decision as soon as possible.
4. Formulation and administration of the Pool:
 - a) Each employee who wishes to participate in the sick leave pool shall contribute two (2) of his/her sick leave days to the pool during their first year of elected membership. Days contributed to the pool become a permanent part of the pool and will not be refunded. From May 1 to July 1 prior to the beginning of each school year, each employee will be
 - b) given the opportunity to complete a form for that purpose. After employees become a member of the pool, one day must be contributed annually to continue membership.
 - c) Only those employees contributing to the pool will be eligible to draw from the pool. Employees may only draw from the pool in the year they contribute.
 - d) Before using this sick leave pool, each employee shall have depleted his/her accumulated leave days.
 - e) Twenty (20) days is the maximum that may be requested on any one written application.
 - f) The sick leave pool may not be used to cover participants who are receiving pay from Workman's Compensation.

SICK LEAVE POOL - Continued

- g) Any employee that wishes to use the sick leave pool for themselves or an immediate family member, as defined in the Negotiated Agreement, must be under doctor's care and present a formal written application to draw from the pool. The Chair may require a written statement from the employee's physician certifying that he/she is incapable of performing his/her duties as a result of the prolonged illness/injury to themselves.

The following general criteria shall be considered by the Committee in administering the sick leave pool and in determining the amount of leave:

Medical evidence of serious illness
Prior utilization of sick leave

- h) Sick leave benefits will not be acceptable for pregnancy, unless complications exist after delivery and a major illness ensues.
- i) The sick leave pool must have accumulated leave days equaling 1.5 x the # of participants, before those employees meeting all stipulated requirements may draw from the pool. If the accumulated pool days ever drop below 1.5 x the # of participants, voluntary contributions of present members of one (1) day each may be added.
- j) If, at the end of the current school year, the balance of accumulated pool days is above the 1.5 x the # of participants, current members will not be required to donate one (1) day at the beginning of the next school year to continue membership. New members will still be required to donate two (2) days to initiate membership.
- k) This pool will become effective August 2010. All employees will annually declare their membership.
- l) **The decision by the committee must be a simple majority and is final. This decision shall not be basis for a grievance.**

SPECIAL SERVICES

West Franklin USD 287 is a participating member of the Three Lakes Educational Cooperative. The Coop provides specialized personnel to meet special needs of children. Personnel for each school includes teacher(s), psychologist and a speech pathologist, occupational therapist, physical therapist, paraprofessionals and additional staff as needed to meet the special needs of each child.

Title I services are provided for grade school students who qualify for extra help in communications and math.

Skills Labs are provided in each grade school to provide an early intervention for any child experiencing difficulties mastering a critical objective in academic subjects.

SPECIAL SERVICES - Continued

Counselors are provided in each school to assist students with enrollment, career choices, class choices, personal problems, and for instructional purposes.

The school social worker works in all district attendance centers to assist students, parents, and staff with day to day challenges and concerns.

The school nurse works in all attendance centers with medication set-ups and immunization audits.

STAFF RIGHTS

A teacher shall have the right to refuse to submit to any evaluation or survey conducted by the district concerning personal values, attitudes and benefits; sexual orientation; political affiliations or opinions; critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs.

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity.

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the district's complaint procedures. (see KN)

SUBSTITUTES

When an employee is absent from work for any cause, the school district will make every effort to employ a suitable, qualified substitute to complete requirements of the position during the employee's absence. Compensation for substitutes for certified positions will be determined by the Board as needed.

If a substitute remains in the same position for six or more consecutive days, on the sixth day and all subsequent consecutive days, the substitute will be paid at the base pay for that position.

Early release days are counted as half days for subs and will be paid accordingly.

SUPERVISION

The learning process continues throughout the entire day. Keeping this in mind will be of benefit to all students.

In addition to normal classroom supervision, teachers share the responsibility for monitoring students while in and around the building. The primary concern is the education, well-being and safety of the student. If an unsafe situation is detected, it should either be taken care of or reported to the principal at once. **Teachers are responsible for making sure students are supervised at all times by an adult.**

SUPERVISION, EXTRA-CURRICULAR ACTIVITIES AND DUTIES

A roster of extra duty assignments will accompany this handbook (*See Appendix E*) or will be given to each teacher. It is the responsibility of the teacher, or faculty to check this assignment schedule and mark their personal schedule. It is permissible to change extra duty with your colleagues, however, remember you are responsible for the time and date assigned.

1. Teachers are held responsible for the care and use of furniture and material in their classrooms.
2. Teachers are responsible for the care, discipline and instruction of pupils in their charge.
3. Teachers shall enforce all rules governing the conduct of pupils that are prescribed by the principal.
4. Extra-curricular sponsorship will meet all the criteria of the Board Policy Handbook, and the negotiated criteria.
5. Coaches and sponsors are responsible for supervision of students while involved in school related activities. **Teachers, coaches and sponsors are responsible for making sure students are supervised at all times by an adult.**

Do not expect a bus driver or other adult sponsor to take responsibility for students. While these individuals will assist, the sponsor is in charge. A sponsor will always accompany a group going to and return from a school activity and will remain until all students have been picked up from the premises.

SUSPENSION

The superintendent shall have the authority to suspend licensed employees with pay pending further board action.

The superintendent may suspend licensed employees with pay for any reason, including, but not limited to, one or more of the following: alleged violation of board policy, rule or regulation; refusal or failure to follow a reasonable directive of an administrator; the filing of a complaint against the employee with any civil or criminal authority; the alleged commission of an offense involving moral turpitude; or other good cause.

If a suspension without pay is imposed on an employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond.

SUSPENSION AND EXPULSION

Students are subject to suspension and/or expulsion according to state law and the board of education policy if they are guilty of willful violation and gross disruptions, interfering with the rights of others, and disobedience and disrespectfulness to the teacher authority. Teachers do not have the right to suspend or expel. Recommendations to this effect may be made to the administrator. Expulsion or suspension must be carried out by the administration. Teachers do have the right, and are expected to assign various reprimands when the situation arises with you and a student in particular situation. Some recourses could be: denying the student their free time, staying in at recess and/or noon hour, staying after school, coming in before school.

SUSPENSION AND EXPULSION - Continued

Students who are out-of-school suspended or in-school suspended will have the opportunity to make up work and receive credit. (See Student Handbook.)

TRANSFERS AND PROMOTIONS

Certified and non-teaching employees will be considered for transfer or promotion upon the request of the employee. Transfers and promotions will be determined by the school board and will be approved when the school board determines the transfer or promotion is in the best interest of the school district. Additionally, the school board reserves the right to transfer any employee at the sole discretion of the school board.

TRAVEL AND EXPENSES

All approved mileage will be reimbursed at the State Reimbursement Rate. To be approved the mileage must be authorized by the Superintendent prior to travel.

Employees that have contractual duties in more than one school and requires driving a personal vehicle as a part of the contractual day will be paid mileage. Each employee will be assigned a home school and receive round trip mileage from that home school.

(Board Policy GBRF)

USE OF THE BUILDING AND SPECIAL PRACTICES

No group or organization will be allowed permission to use the building during or after school without the presence of a sponsor. Approval must be obtained through the office for these special occasions.

(See Appendix B - Board Policies - Facility and Equipment Use)

USE OF DISTRICT VEHICLE(S)

Plan ahead and notify the District Office at least one week ahead of the time you wish to use any district vehicle. The appropriate office employee will record your request on the calendar and assign a vehicle (if available) to you. The vehicle and keys will be picked up at the District Office just prior to trips, unless other arrangements have been made in advance. A vehicle log sheet will be signed when the keys are picked up, and a vehicle inspection form will also be given to the driver.

Please follow these simple rules in regards to district vehicles:

1. Return vehicles on the date, time and location as agreed.
2. Park vehicle in same place as it was picked up.
3. Park personal vehicles on the north side of the District Office.
4. Do not change any settings of vehicles various devices to avoid a dead battery.
5. Be sure to remove all trash and personal belongings from the vehicle.
6. Lock the vehicle. (Note: some of the newer vehicles will self lock, even when idling. Be sure to take keys with you.)
7. Record fuel purchases in the log book. Be sure to write the vehicle number on the receipt for fuel and turn it in to the district office.
8. Fill out Form 287/T3 which is the blue sheet on a clip board in the vehicle. This form is used during audits.
9. Turn in inspection form and keys to the district office.

IMPORTANT: The two-way radio in the vehicle is to be left on at all times. Two-way communication between the district office and district vehicle is very important.

USE OF TELEPHONE

Students are asked not to use the telephone, unless it is an emergency. If necessary, teachers must send a note with the student allowing them to use the phone. Teachers will not be called out of their classrooms for calls on the phone, except in emergencies. Phone notes will be taken and delivered to the teachers at the earliest possible convenience. Teachers using the telephone should use the one in the teacher's workroom whenever possible. Teachers and other staff members should use calling cards when making personal long distance calls.

USE OF TOBACCO PRODUCTS BY ADULTS ON/IN USD 287 PROPERTY

No student, staff member, or school visitor is permitted to smoke, inhale, dip or chew tobacco at any time during the school day or school sponsored activity, in any building, facility, or vehicle owned by USD 287.

Adults, who are not students of any K-12 public school, who wish to smoke or use any kind of tobacco products, must do so in the parking lots, beyond the bus lanes of any school building or facility of USD 287. Adults who wish to smoke at any USD 287 baseball/softball complex, where a school team is playing or practicing, must do so in the parking lot of that facility. No longer will smoking be permitted adjacent to entrances of school buildings.

Individuals violating this policy will be reminded of the policy and asked to comply. Persons who will not comply will be asked to leave school grounds or face trespassing charges and reported to the school resource officer or the Franklin Sheriff's Department.

USE OF TRAINED DOGS TO SEARCH

At the request of the administration, law enforcement officers or licensed private agencies may use trained dogs on school premises to identify student property which may contain illegal or illicit materials and to determine whether materials are present which may threaten the general health, welfare and safety of students and/or district employees.

WORKERS COMPENSATION

Injuries Occurring When an Employee is "Under the Influence" – The Workers' Compensation Law clearly states that compensation is not payable if the injury was caused primarily by the intoxication of the employee or by the influence of any drugs, barbiturates, or other stimulants not prescribed by a physician. Under the law, the employer may require the employee to submit to a test for the presence of any or all drugs or alcohol in his or her system. If the injured worker refuses to submit to a drug test, it shall be presumed in the absence of clear and convincing evidence to the contrary that the injury was caused primarily by the influence of drugs or alcohol.

Recreational and Social Activities- Recreational and social activities are not compensable unless such recreational or social activities are an expressly required incident of employment and produce a substantial direct benefit to the employer beyond improvement in employee health and morale that is common to all kinds of recreation and social life.

Injuries Suffered While Traveling to and From Work – An injury suffered while going to or coming from work is not an injury arising out of and in the course of employment whether or not the employer provided transportation if such means of transportation was available for the exclusive personal use by the employee, unless the employee was engaged in a special errand or

WORKERS COMPENSATION - Continued

mission for the employer, or access to the vehicle was an integral element of the employment. An employee, who is injured while deviating from the course of his employment, including leaving the employer's premises, is generally not eligible for benefits unless such deviation is expressly approved by the employer.

Horseplay – An employee who is injured during horseplay occurring in the course of the workday is not entitled to benefits unless the injured employee is an innocent victim not participating in the activity.