

INTRODUCTION

This handbook will provide you with information concerning the District, your benefits, and your responsibilities. Read this handbook carefully and keep it for future reference. It is not designed to provide specific practices or policies for every situation. Questions concerning specific practices and policies, or how the general rules apply, should be discussed with your supervisor. The complete USD 437 Board Policy Book is available in your building and on the District Website www.usd437.net. This handbook is prepared for informational purposes only and does not constitute a contract between the District and its employees, and should not be construed as such. The policies and information contained in this handbook may be changed or amended at any time by the District, with or without notice. The District will attempt to notify all classified personnel of any changes made in Federal Laws, State Laws, and District Policies that would affect their working conditions. Employment by the District is "at will," not for a definite term. Your employment may be terminated by you or the District at any time, for any reason. No supervisor of the District or any other person, except the Superintendent of the District, has any authority to enter into any agreement for employment for any specified period of time or make any binding representations or agreements inconsistent with this Handbook.

EQUAL EMPLOYMENT OPPORTUNITY

The Auburn-Washburn School District, USD #437, does not discriminate against any applicant, employee, or student in the admission or access to educational programs, activities, or employment on the basis of race, color, religion, creed, national origin, marital status, veteran status, gender, age, or the presence of a non job related medical condition or disability.

HARASSMENT and BULLYING

See Board Policy-GAACB & GAEE

The Board of Education is committed to providing a positive and productive working and learning environment, free from discrimination. Harassment may address race, religion, sex, national origin, physical attributes or disabilities, scholastic aptitude, sexual orientation, or age. Harassment of employees or students of the district by board members, administrators, certified and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited. All forms of harassment will not be tolerated and are prohibited at school, on school property, and at all school-sponsored activities, programs or events. Harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee or third party (visitor, vendor, etc.) to harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a staff member or a student from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provision of this policy.

General harassment may be any hostile or offensive act or expression by a person or group against a person or group. This may include, but not be limited to, the following:

- verbal, physical, or written intimidation or abuse
- derogatory name calling
- insults
- practical jokes which may result in awkwardness or embarrassment
- unwelcome remarks or innuendoes
- taunting or ridicule of any individual
- derogatory or offensive pictures, drawings, and materials
- use of derisive slang terms concerning another individual

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to the following:

- verbal harassment or abuse
- pressure for sexual activity
- repeated remarks to a person with sexual or demeaning implication
- unwelcome touching
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades, participation in extracurricular activities, etc.
- gestures or remarks among co-workers or a supervisor-employee relationship resulting in embarrassment or unwelcome attention

Racial harassment is unlawful discrimination on the basis of race, color or national origin.

The district encourages all victims of general, sexual or racial harassment to report the harassment immediately. Persons with knowledge of such harassment must report the harassment immediately. The district will promptly investigate all complaints of harassment and take prompt corrective action to end the harassment.

Any school employee who receives a complaint of harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the student to determine if it can be resolved. If the building principal is the alleged harasser, the complaint will be reported to the district compliance coordinator. If the matter is not resolved to the satisfaction of the student in this meeting, the student may initiate a formal complaint under the district's discrimination complaint procedure.

An employee who witnesses an act of general, sexual or racial harassment shall report the incident to the building principal. Employees who fail to report complaints or incidents of general,

sexual or racial harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints or harassment may also face disciplinary action.

Bullying by staff is prohibited by the Board of Education 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.

The plan shall include provisions for the training and education of staff members. 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.

GENERAL EMPLOYMENT PROVISIONS

APPLICATION FOR EMPLOYMENT AND INTERVIEW

1. An application form (on-line or hardcopy) must be filed with the Human Resources Department. Applications are kept in the active file for one year.
2. If selected for an interview an Administrator, a Director, or a Supervisor of a department where the position exists will conduct the interview.
3. When an applicant is interviewed for a specific position, a job description may be available for review and related duties will be explained by the person conducting the interview. Different qualifications apply to various positions.

EMPLOYMENT PROCEDURES

Processing a New Employee

1. All new employees will be required to furnish the Human Resources Department with the following:
 - a. A certificate of Health (TB test)
 - b. Employee's Withholding Allowance Certificate Form W-4 and Form K-4
 - c. I-9 Immigration and Naturalization Service Form (if applicable)
 - d. Payroll Election form (if applicable)
 - e. A copy of Social Security Card or Birth Certificate bearing a seal or other certification.
 - f. A copy of Driver's License, State issued ID card with personal photograph or U.S. Military Card.
 - g. Oath of Affirmation of Office or Employee Form
 - h. KPERS application (if applicable)
2. All new employees will receive a copy of the Classified Employee Handbook. If needed, the Handbook will be reviewed with the employee.
3. Training and orientation will be provided with continued supervision.
4. Opportunity will be provided to all employees to develop their assigned functions. Employees are encouraged to develop and submit (through normal supervisory channels) plans or proposals for job improvement.
5. A working environment is to be maintained which is free from discriminatory insult, religion, sex, age, national origin, or disability.

Placement on the Pay Schedule and Raises

1. Consideration of ability, performance, responsibility, level of education, and experience of employees will be taken into account in establishment of individual pay within the approved ranges.
2. New employees to the district may be placed at a rate of pay above the beginning pay range in accordance with their training and experience as determined by the Director of Human Resources.
3. Annual raises are subject to the supervisor's recommendation. Annual pay raises are not guaranteed. The procedure for determining the amount of a July 1 School Board approved pay raise for new classified staff hired during the previous school year is as follows:

DATE OF EMPLOYMENT

PERCENT OF THE RAISE

Prior to October 1 of previous year	100%
October 1 - December 31	75%
January 1 - March 31	50%
April 1 - June 30	25%
July 1 or after	0%

To be eligible for a pay raise, the staff member must be continuing in a budgeted Regular Full-time or Part-time position within the District after July 1, with no lapse in continuity of employment. Only Regular Full-time or Part-time employment counts as "continued" employment for raise purposes. Temporary or substitute positions are not subject to pay raises.

If any classified employee moves to a new regular position within the District on or after July 1, the pay raise for the previous position will be determined and prorated from July 1, until the beginning date of the new position. The rate of pay for any regular position whether on a higher, lower, or same scale and filled July 1, or later, is not subject to a pay raise, but will be established as part of the hiring process.

Evaluations

The Auburn Washburn School District attempts to employ and retain the best personnel possible. To maintain a high standard of performance, the following evaluation system is in place according to board policy:

All hourly classified employees in their first three years of employment shall be evaluated at a minimum annually prior to March 15. All hourly classified employees in year four of employment and beyond shall be evaluated at a minimum of once every three years. The employee shall receive a signed copy at the time of evaluation. A copy of the evaluation shall be kept in the Central Administrative Office and is available to the employee upon written request.

Classified employees may request the Superintendent or Superintendent's designee to review an evaluation if they are not satisfied with the results of the evaluation. Such requests shall be made within ten (10) working days of the receipt of the evaluation. The form used for evaluation shall be approved by the Superintendent.

Each classified employee shall receive an initial evaluation and performance conference at thirty (30) working days from initial employment in a new position.

Evaluations conducted on any employee more often than as stipulated if deemed necessary by the supervisor. All employees are required to sign and date their evaluations. A copy will be given to the employee, and a copy will be placed in the employee's personnel file. Employees may review their personnel file upon request. If an employee is not satisfied with the results of the evaluation he/she may request to have the evaluation reviewed by the Director of Human Resources and the Superintendent. Such request shall be made in writing within ten (10) working days following the date of the receipt of the evaluation.

Transfers

Administrative Transfers: Transfers of personnel may be made by the Human Resources Department or the employee's supervisor whenever the best interest of the school or department is served by the transfer.

Employee Requested Transfer: An employee requesting a transfer must submit a request in writing to his/her direct supervisor and the Human Resources Department. The request must be signed by the employee and employee's immediate supervisor. After the request has been received by the Human Resources Department, the employee may be interviewed for a vacancy. The transfer request only gives the employee the right to be considered for an interview.

MEDICAL EXAMINATIONS, DRUG & ALCOHOL SCREENING

CERTIFICATE OF HEALTH AND TB TEST REQUIREMENT

1. KSA 72-5213 Certificate of Health for School Personnel: "Every Board of Education shall require all persons, whether employees of the school district or under the supervision thereof, who come in regular contact with the students of the school district, to submit a certificate 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 conflicts with the health, safety, or welfare of students; 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 person is suffering from an illness detrimental to the health of the students, the School Board may require a new certification of health."

2. The expense of obtaining a Certification of Health will be borne by the employee.
3. A pre-employment physical is required of School Bus Drivers and Substitute Bus Drivers. Following employment, a physical examination is required every two years. Present employees transferring into the above position will be required to obtain a physical.
4. The District may require employees to take medical and other examinations (including drug/alcohol screening test) at any time required by the District. Such tests will be paid for by the District.
5. If any employee refuses to submit to a required examination, to execute all requested consents or forms in connection with such examination, or if such examination shows evidence of unlawful drugs or that an employee is under the influence of alcohol, then such employee shall be terminated.

BACKGROUND CHECKS

As a condition of initial employment, each applicant who is offered and accepts a regular or temporary paid position with Auburn-Washburn USD 437 shall be subject to a statewide and a nationwide criminal history records check. The school district shall pay the costs of the background check. The Board may offer employment to an applicant pending receipt of the results of the criminal history records check. The employment is subject to termination by the Board, without further proceedings and without reference to any other law or contractual agreement, if the results of the criminal history records check reveal that the applicant has been convicted of any offenses specified in law for which employment is prohibited. An employee is also subject to termination if the background check reveals the employee lied on his/her application.

“At Will” EMPLOYMENT WITH USD 437

Classified employees are hired for an indefinite term and are therefore “at will” employees with no rights to continued employment. Employment with Auburn-Washburn USD 437 may be terminated at any time by either the employee or the employer for any reason, other than an illegal reason.

The school district does not enter into written or oral contractual agreements with classified staff that state the terms, conditions, or duration of employment. The Classified Handbook is a guide for informational purposes only and is not a contract.

Under Kansas law, public employment is presumptively “at will” and as such a public employee does not possess a protected property interest for purposes of procedural due process.

COMMUNICATING CONCERNS

All of us have work concerns from time to time. We want to help you resolve such concerns, if possible, but we cannot help you unless you talk to us. If you have such a concern, discuss it first with your supervisor. If, after talking it over with your direct supervisor and you still feel dissatisfied, please schedule a meeting with the department’s supervisor, a building administrator, or the Director of Human Resources.

RESIGNATION and TERMINATION

1. If you should decide to resign or terminate your employment, the district expects a letter of resignation and at least two weeks notice. At the time of resignation you should check with your supervisor and the Business Office to be sure that all resignation procedures have been completed.

2. You must return all keys and other district property to receive your final paycheck. Note that your District health benefits will stop at the end of the month in which you resign and there will be no right of payment for unused leave as per BOE policy.
3. **Accumulated leave has no cash value upon resignation or termination and cannot be used to extend a previously announced resignation date.**

SMOKING POLICY

The use of tobacco products in any form is prohibited in any district building, owned, leased or rented by the district and on all district property during the school day. Smoking is not permitted in any district-owned vehicle. District employees are prohibited from tobacco use at any time they are on duty or when they are representing the school or district. (BOE Policy GAOC, adopted by the Board on 2-4-08).

TUITION REIMBURSEMENT

College tuition reimbursement may be available to classified employees who wish to become special education teachers in our school district. Specific criteria for this program must be met including a recommendation by the building principal. Applications may be obtained from the Human Resources department **and on the district's website.**

TIME CARDS/CLOCKS, PAY DATES, AND HEALTH INSURANCE

TIME CARDS/CLOCKS

Classified Personnel paid by the hour shall enter hours worked on a time sheet or the time clock as specified by their direct

supervisor. Approval is necessary prior to submitting the time worked to the payroll office by your director, supervisor, or an administrator. Employees who clock in for another worker may be subject to immediate disciplinary action, not excluding termination.

PAY DATE

Classified employees will receive their pay by check or direct deposit on the 20th of the month. The pay period extends from the 11th of the previous month through the 10th of the current month.

HEALTH INSURANCE

All regular full-time employees of the district are encouraged to participate in one of the available insurance plans offered by the district. As of the date of this publication, the district provides a single membership for each full-time employee in a health care plan chosen by the Board. The district will contribute an amount equal to the cost of the Board chosen single employee plan towards the premium of an expanded district health insurance plan for any regular, full-time employee who chooses to participate. If health insurance coverage is not taken for one of the allowable reasons, there is no cash value to the single premium plan not taken.

Health insurance coverage stops at the end of the month in which you resign. You may be able to continue health benefits under COBRA. See the Business Office if you contemplate leaving employment and want to continue District insurance.

DEDUCTIONS

Classified employees may participate in the USD 437, Section 125 Cafeteria Benefits Plan providing a direct deduction payment of health insurance, life insurance, dental insurance, Flexible Medical Spending, Health Savings Account, and dependent care expenses prior to taxation. Tax sheltered annuities [IRS Section 403 (b)] may also be purchased from selected companies through payroll deduction.

DEFERRED SALARY PAYMENTS FOR LESS THAN 12-MONTH CLASSIFIED EMPLOYEES

Regularly scheduled employees who work less than 12 months each year may be paid in substantially equal payments over 12 months. This policy applies to any regular classified staff member, as defined in KSA 74-4931, who is qualified for KPERs. To be qualified for KPERs, you must work regularly at least 3.5 hours per day, or 17.5 hours per week. No lump-sum payment is permitted, except for resignation or termination reasons. Any overtime payment, or wage earned separately from regular wages, shall be paid in the first pay period after the overtime duty was performed or the separate wage was earned. Employees with deferred pay will have their final three checks (June, July, August) adjusted for any hours not worked, as specified on their job classification work calendar.

DIRECT DEPOSIT

Direct deposit of your paycheck may be requested by you through the business office. Direct deposit forms can also be downloaded from the district's website. Your check will be electronically deposited in your bank by the District and will be available on payday. Direct deposit to the Educational Credit Union is also available. See the payroll clerk for more information.

WORK SCHEDULE

The hours and length of work day, week, month, and year will vary according to position. The responsible administrator or direct supervisor will instruct each employee as to his/her schedule. Any deviation from the specified work schedule requires prior approval of the employee's building level administrator. Employees are required to work productively during their entire scheduled work period. An employee who has completed all assigned tasks with time remaining should ask his/her supervisor for additional work for that time. If a staff member departs early, he/she must indicate the early departure

on his/her time sheet. If it becomes necessary for any classified employee to work longer than his/her budgeted work day in any week, the time must be approved by an administrator/supervisor in advance. Any compensatory time an employee earns should be used within the pay period in which it is earned, if possible. Also, any compensatory time earned in lieu of overtime (over the 40-hour work week) shall have a time value of one and one-half hours for each hour worked.)

BREAK PERIODS

Eight-hour classified employees may be authorized one 15-minute break in the morning and one 15-minute break in the afternoon. An employee working between 4 and 7.5 hours may be authorized one 15-minute break, to be taken at the discretion of the immediate supervisor. Employees working less than four hours a day are not entitled to a break during their work period. Classified employees are allowed one break period for each four consecutive hours of scheduled work. The break periods are subject to the following guidelines:

- Break periods shall not be scheduled during the first or last hour of the shift.
- Break periods are limited to fifteen minutes in duration.
- Break periods shall not be accumulated nor used to leave the assignment early.
- Break periods shall not be combined with the lunch period.

LUNCH

All classified employees scheduled to work at least 5.75 consecutive hours are entitled to a 30-minute, unpaid lunch period. The time for the lunch period shall be scheduled by the immediate supervisor. Lunch periods are required.

SAFETY

A safe environment is a special priority in the schools and all classified employees should develop a deep sense of concern for any unexplainable, dangerous, or hazardous condition that he/she encounters. It is essential that all employees understand and be capable of identifying potential perils and they should develop safe work habits (realizing the limitations of their tools, equipment, and supplies) in order to protect themselves and others from unnecessary and costly injuries.

The risk of being infected with a deadly communicable or infectious disease such as aids, hepatitis b, tuberculosis, or cytomegalovirus is possible unless one is cautious. OSHA has adopted a safety regulation for personnel in the workplace that come in contact with blood borne pathogens, or have the potential to come in contact with blood borne pathogens. The regulation requires specific procedures and materials for cleaning and disinfecting of all areas of the workplace where blood borne pathogens may potentially exist.

CLOTHING

Classified employees are not encouraged to wear clothing that may be considered unprofessional, unsafe, or inappropriate for the school environment. Clothing that advertises alcohol, tobacco, words, a symbol, design, etc., that may be offensive to others is not acceptable. ~~Visible tattoos, body alterations, or body piercings may also be deemed inappropriate for the school environment.~~

Some styles of shoes such as thongs, clogs, sandals, or flip-flops may be considered inappropriate for certain areas of the work environment. If directed, some classified employees will be required to wear closed toed or steel toed shoes for safety purposes.

CLASSIFIED EMPLOYEE BOARD POLICIES

DEFINITION OF TERMS

1. The term “classified employee” shall be used for those hourly staff members not holding administrative/supervisory positions or those not defined as certified under K.S.A. 72-1381, 72-1388, 72-1389, or 72-8208b.

Regular classified employee is one who is initially employed to fill a budgeted position.

- a. a regular classified employee, who works less than 12 months, has “full-time” status if the position requires at least 1,000 hours of work per fiscal year. This requires 5.75 hours per day using the current number of days worked in the school calendar year. An employee will lose full time status if he/she drops below 5.75 hours per day, even if the cumulative total of hours worked for the year will be over 1000 hours. The 1,000 hours is figured on a projection basis.
- b. a regular classified employee has “part-time” status if the position requires less than 1,000 hours of work per fiscal year.
- c. overtime or activity hours shall not be considered in determining regular full-time status.

Temporary classified employee is one who is hired for a specific period of time.

2. The term “Board” shall mean the Board of Education of this District.

3. The term “Administrator” shall mean the Superintendent of this District, or his/her duly designated representative.
4. The term “work week” shall consist of a period of seven consecutive days, beginning on Monday and ending on Sunday.
5. The term “work year” shall mean the time from the first through last work day of any fiscal year (July 1 – June 30).
6. The term “immediate family” shall mean a spouse, child, parent, sibling, in-law of an employee, grandparent, grandchild, legal guardian, and legal ward.

WAGE AND HOUR INFORMATION
(See Board Policy GCA-R)

1. Classified employees will be paid according to pay rates established by the Board of Education. The rate of pay is established by the Superintendent or Superintendent’s designee at the time of hiring. Rate of pay, once established, will not be changed except by Board of Education action.
2. This hourly rate of pay shall apply to the first 40 hours worked during the work week. Hours worked in excess of 40 hours per week will be paid the rate of time and one-half. (29 U.S.C. Sec 207) Any compensation paid to an hourly employee as a result of a workers compensation claim shall not be used in the calculation for establishing over-time pay.
3. Double the hourly rate of pay shall be paid an employee who is called to work on an observed paid holiday or Sunday.

OVERTIME WORK

1. Overtime hours may be required from time to time in order to complete your job requirements. Reasonable requests to work overtime cannot be refused by the employee.
2. Overtime hours are **not** to be worked without District or Building Administrator's prior authorization. Authorized annual work hours are published in the Budget and are not to be exceeded without administrator approval.

PAID HOLIDAYS

1. All regular full-time classified employees, working less than twelve months, are eligible for holiday pay for the following holidays that fall within their work year: Labor Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Day, and Memorial Day.
2. All regular full-time twelve-month employees are eligible for the following paid holidays: Independence Day, Labor Day, Wednesday before Thanksgiving when school is not in session, Thanksgiving Day, Friday following Thanksgiving, Christmas Eve Day, Christmas Day, New Year's Eve Day, New Year's Day, Martin Luther King Day and Memorial Day.
3. When a paid holiday falls on the weekend, the Superintendent shall designate an alternative day.
4. Any time school **must** be in session on any designated paid holiday, all classified employees shall be required to work and the holiday would not be observed.

5. To be eligible for holiday pay, the employee must work the last work day before and the first work day after the holiday or be on prior approved leave (Annual or Sick). Personal leave may not be used to extend a holiday unless prior approval is given by the Building Principal or Supervisor.

SCHOOL CANCELLATION OR CLOSURE

The Superintendent will make the decision regarding the necessity to close school due to weather conditions, or to close any single building due to exceptional circumstances. A final decision for school closing due to weather will try to be made prior to 10:00 pm the night of a storm, but not later than 6:00 am the day school is to be closed. All employees should listen to the local television or radio stations for school announcements. Individual building closures, due to unexpected and exceptional circumstances, will be broadcast by the same means.

NINE/TEN MONTH STAFF

1. Classified staff members who are not 12-month employees will not report for duty when school is cancelled. This includes Food Service Staff, Paraeducators, Teacher Aides, Secretaries, Bus Drivers, Library Staff and any other less than 12-month employees. A nine/ten month staff member may take personal leave if such leave is available.
2. Staff members who are not 12-month employees, and have deferred pay, will have their final three checks (June, July, August) adjusted to account for the hours not worked, as specified on their job classification work calendar.

TWELVE-MONTH STAFF

1. All 12-month employees are required to report to their normal place of work if school is cancelled. District-wide Maintenance Staff, Transportation Mechanics, and all School Building Custodians are essential personnel and must report to their work site to remove snow or ice. Administrative Office employees are required to come to work. Nonessential personnel may take accrued leave and not come to work when permission of his/her direct supervisor is obtained. Twelve month noncustodial personnel working at the High School are encouraged to take a day of leave, but they may work when school is closed if the Administrative Office is open.
2. When the Superintendent must close the Administrative Offices, prior to the start of a work day, all 12-month personnel must take annual or personal leave or their pay will be docked.
3. If the Superintendent determines during the work day that the Administrative Offices should close, all 12-month employees will be sent home from work with pay, if they have reported to work.
4. Any essential personnel required to work after the Superintendent closes the Administrative Offices will be paid double time during the period of closure.

MAKE-UP DAYS FOR SCHOOL CLOSURE

The Board of Education will determine if the day will be made up. If a make up day is designated, all staff are required to report to work to remain in good standing.

ATTENDANCE AND LEAVE

Your attendance at work is an essential component of your job. Excessive absenteeism, tardiness to work, or early departure is not acceptable. Unexcused absences and excessive absenteeism will normally result in dismissal from your job. Each staff member's attendance at work, especially on school days, is very important. When you are absent, required work may not get done, or the work must be shifted to others. Having accrued leave is not a right to take leave at your own discretion. Your supervisor has the right and responsibility to deny your request for leave if your attendance is required. There may be times when you will be denied leave, even though you have accrued leave available. The leave that you accrue is for your use as you require, but the District's requirements must come first. Any time that you need to be absent from work, you must submit a leave request to your supervisor in advance, and in time to be processed. Illness or emergencies are the only exception to advance request.

Sick Leave and Annual Leave is accrued on a monthly basis. The amount of your accrued leave is shown on your earnings statement. When you do not have accrued leave, your supervisor will normally not recommend approval of your requested absence. Management of your accrued leave balance, although checked by your supervisor, is your responsibility. When you do not have accrued leave you are in a Leave Without Pay situation.

Leave Without Pay, by School Board policy, requires prior approval of the Superintendent of USD 437. Leave Without Pay must be justified, requested, and approved ahead of time. Leave Without Pay is **not** a routine option for district staff and is not to be abused. Approval after the fact will only be made for very compelling reasons.

LEAVE POLICIES

Classified employees whose work is dependent on those days when school is in session (i.e. bus drivers, food service, paraeducators, etc.) should avoid absences other than illness on school days. Any unauthorized absences, other than illness on school days, may result in termination.

Regular fulltime employees, with full-time status who work less than 12 months, accrue personal and sick leave. Regular fulltime twelve month employees accrue annual, personal and sick leave. Sick leave may not be substituted for Personal or Annual leave. Sick leave is the only leave that can be requested after it is taken. Timely notification of illness to the employee's supervisor by telephone or other means is required. Timely notification means calling the supervisor prior to the beginning of the scheduled work shift. The leave form is to be completed upon your return. Any supervisor may request that you present a doctor's fitness for duty statement if abuse of sick leave is suspected.

Absences are charged against the appropriate accrued leave balance by the Business Office upon receipt of an approved Leave Request. If prior approval has been granted, Leave Without Pay is charged and no pay will be received for those days. Annual, personal and sick leaves have no cash value (See Retirement, Part C). Part time employees (less than 5.75 hours per day) do not accrue leave. All absences must have prior approval of your supervisor, except in the case of illness. Timely notification of your absence prior to the beginning of your shift is required.

Employees who do not accrue leave do not fill out a Leave Request for the Business Office. The time sheet should reflect the time missing and the reason for the absence. The Administrator in charge or supervisor may require a leave request form for accountability for his/her own records. The signature of your supervisor on your time sheet verifies your attendance and absences.

EXPLANATION OF LEAVE TYPES

EARNED LEAVE

1. **Earned leave** - is based on the budgeted number of hours for an employee, up to 8 hours. Leaves may be taken in hours and reported to the nearest quarter hour. All leaves earned and used are recorded in fractions of hours.

CHARGEABLE LEAVES

1. **Sick Leave** - All regular full-time employees shall earn one day of sick leave on the 20th day of each month that falls within their work year.
 - a. Sick leave may accumulate to a maximum of 120 days.
 - b. Sick leave may be used for personal illness or injury, and for illness, injury, or death of a member of the employee's immediate family. Absence for illness, injury, or death in the employee's immediate family is limited to ten (10) days maximum per year.
 - c. Sick leave will be indicated for Worker's Compensation Injuries. (See the section on Job Connected Injury regarding how Sick Leave is charged.)
 - d. Sick leave must be used for Family Medical Leave. (See Family Medical Leave Policy below.)
 - e. Sick Leave may not be used as Personal or Annual Leave.
 - f. Sick leave may not be used to extend weekends or vacation periods.
 - g. Upon Retirement, Sick leave has a cash value as per Board Policy for each accrued day up to 120

day maximum accumulation (See Retirement, Page 15, for more information).

2. **Personal Leave** - All regular full-time classified employees shall earn two (2) days of personal leave July 1, at the beginning of each work year. If an employee starts employment after January 1, he/she will receive one day of personal leave upon employment.
 - a. Personal leave may accumulate to a maximum of 5 days.
 - b. Except in emergencies, employees shall give at least two full work days advanced notice to their immediate supervisor of their intent be absent on personal leave.
 - c. Personal leave may be taken for legal or court business, personal affairs, unusual or important family events, funerals of friends, illness within the immediate family, and for personal activities that cannot be reasonably conducted during non-working hours.
 - d. Personal leave shall not be used to extend vacations or holidays.
 - e. Should an employee not complete his/her work year the accrual of personal leave shall be prorated. (An employee working half or less of the anticipated work year shall receive one (1) day and an employee working more than half the anticipated work year shall receive two (2) days. Any salary adjustment due to proration will be made on the employee's final check).

3. **Annual Leave** - All regular full-time, 12-month classified employees, shall earn one day of annual leave on the 20th day of each month worked during the first five years, 1.25 days annual leave for each month worked after five years in a regular full-time position, and 1.5 days annual leave for each month worked after ten years in a regular full-time position. Classified

employees working less than 12 months per year shall receive no annual leave. Annual leave may accumulate to a maximum of 18 days. Maximum leave accrued may be waived temporarily for just cause with the Superintendent's approval. Current employees, who become eligible for annual leave as a result of converting to a twelve-month position, will be given credit for all uninterrupted years of service in regular full-time USD 437 positions prior to converting to a twelve-month employee.

NON-CHARGEABLE LEAVES

1. **Non-chargeable leave** - requires approval in advance of the Superintendent or his/her designee.
2. **Professional Leave** - To be used when authorized by Building Administrator or District Supervisor for Professional Development directly related to the employee's USD 437 position.
3. **Leave Without Pay** - Leave without pay shall not be approved until all other applicable, accrued leave is exhausted. It is to be requested on a Leave Request to the Superintendent or his/her designee for approval prior to the absence. (See further explanation under Absences above for leave without pay procedures.)
4. **Other Leave** -
 - a. Military Duty
 - b. Community Service
 - c. Activity Sponsor Release Time
 - d. Jury Duty (see section on Jury Duty below)

JURY DUTY

Regular classified employees may be granted Other Leave for service in court when called for jury duty or when subpoenaed as a witness, provided the employee is not a party to the action.

Jury Duty counts as district work time if an employee is called to Jury Duty on a day he/she is scheduled to work. Classified Staff members are to complete a leave form for "Other Leave" with the reason as Jury Duty. An employee called to jury duty is paid his/her normal hourly wage by the District for the number of hours in his/her normal work day and is not expected to report to work that day unless Jury Duty is cancelled.

Money paid from the court to the jury member must be turned in to the payroll office since the district is paying the employee's normal wage. If the daily pay for jury duty exceeds the daily pay from the District, the employee may keep the jury duty pay after reporting this situation to the Business Office. Reimbursement from the court for mileage is to be retained by the employee.

FAMILY AND MEDICAL LEAVE

Family and Medical Leave, as required by The Family and Medical Leave Act of 1993, shall be granted for a period of not more than 12 weeks during any 12-month period. The employee is eligible for Family and Medical Leave after having worked at least 12 months (which do not have to be consecutive) for the School District and must have worked at least 1250 hours during the 12 months immediately preceding the date of commencement of FMLA leave. If both spouses are employed by the School District, they may only take an aggregate of 12 weeks of leave for a birth or adoption of a child or to care for a child or parent with a serious health condition, unless an exception is requested of and has been approved by the Board of Education.

ENTITLEMENT TO FAMILY AND MEDICAL LEAVE

See Board Policy GARI

An eligible employee is entitled to a total of 12 work weeks of leave during any 12-month period for the following four reasons:

1. the birth of a child of the employee and to care for that child;
2. because of the placement of a child with the employee for adoption or foster care;
3. the need to care for a spouse, child, or parent of the employee because of a serious health condition; or
4. because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

The entitlement to leave for reason **1** or **2** above shall expire at the end of the 12-month period following the birth or placement.

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves: (A) inpatient care; or (B) continuing treatment by a health care provider (doctor of medicine or osteopathy).

INTERMITTENT OR REDUCED SCHEDULE

Family Leave for reasons **1** or **2** may not be used intermittently or on a reduced leave schedule without the prior approval of the Superintendent or his/her designee. An employee may request an intermittent or reduced leave schedule for reasons **3** and **4** when medically necessary. Intermittent leave is taken in separate blocks of time for a single illness or injury rather than

over a continuous period of time; for example, an employee might take leave over several months for chemotherapy treatments. Reduced leave means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee. Under either circumstance, the School District may temporarily transfer the employee to an available alternate position for which the employee is qualified provided there is no reduction in salary and benefits and better accommodates recurring periods of leave than the employee's regular position.

NOTIFICATION OF FAMILY AND MEDICAL LEAVE

When leave is foreseeable, the employee shall give written notice 30 days in advance. If leave is not foreseeable, notice should be given as soon as possible. Notification by the employee shall be in written form, addressed to the Director of Human Resources. Notification shall at a minimum include: The employee's intention to take leave under the Family and Medical Leave Act, the reason for the leave, the necessity and justification for the stated reason, and the intended time period. Additionally, the statement should include if the employee intends to take leave as full-time, intermittent, or on a reduced-leave schedule. A request for leave for reasons **3** and **4** must be supported by a certification issued by the health care provider of the eligible employee or the child, spouse, or parent of the employee, as appropriate.

CERTIFICATION BY HEALTH CARE PROVIDER

The School District shall require certification from a health care provider before granting leave for Reasons **3** or **4**. The certification shall be provided in a timely manner to the Superintendent. The School District, at its expense, may obtain a second and third opinion. The third opinion binds both parties. An employee who is required to provide certification shall have 15 calendar days to comply. The School District may require subsequent recertification by the employee on a reasonable basis.

CHARGEABLE LEAVE

The leave granted under this policy may consist of all or in part as unpaid leave. However, if the employee has accrued any paid annual (vacation), personal, or sick leave, the paid leave shall be used first and counted toward the 12-week period of Family and Medical Leave. The Superintendent or his/her designee, will notify the employee prior to or during the leave period that those leave days have been designated as paid Family and Medical Leave.

MAINTENANCE OF HEALTH BENEFITS

During the period of any unpaid Family and Medical Leave the School District shall continue to pay the employer's share of the cost of group health benefits in the same manner as was paid immediately prior to the leave. Any employee portion of the cost shall be paid by the employee on the first day of the month or other time as the employee establishes with the Business Office. The School District may terminate group health coverage if the employee's payment is not received within 30 days of the due date.

DISTRICT RESPONSE

Upon the employee providing written notice of need for leave, the School District will notify employee of:

1. the reasons that leave will count as FMLA
2. any requirements for medical certification,
3. School District requirement for taking accrued leave
4. requirements for premium payments for health benefits by employee; and employee responsibility to repay the School District for District, premiums paid during unpaid leave if the employee fails to return from leave,
5. right to be restored to same or equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
6. any School District required fitness-for-duty certifications.

INSTRUCTIONAL STAFF (PARAEDUCATORS AND TEACHER AIDES)

The Superintendent or his/her designed 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, the Superintendent or his/her designee may require an instructional or classroom employee to continue leave until the end of a semester, if: 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, the leave begins in the last three (3) weeks of a semester, and lasts more than five (5) days.

LOSS OF PAY FOR UNAUTHORIZED ABSENCE

Unauthorized absence from duty by an employee shall result in a loss of pay for the period of his/her absence.

RETIREMENT

Employees are requested to notify the Director of Human Resources as early as possible of the intent to retire.

1. All classified employees are required to participate in the Kansas Public Employees Retirement System if their job requires them to work over 630 hours in a year or 3.5 hours of work per day for at least 180 days.

2. Classified employees may participate in the district's health insurance program after retirement under the following stipulations:

A. **Eligibility**

- a. Be at least 55 years of age.
- b. Must have been a full-time employee at retirement.
- c. Have been employed at least ten (10) consecutive years in this district.
- d. Must retire from KPERS

B. **Benefits**

- a. Employee will continue to receive a health benefit amount equal to the amount paid by the board during the health insurance contract period in which the employee retired. This benefit may be paid for a maximum of five (5) years commencing in the month following retirement or until the first month in which the employee is eligible for Medicare benefits.
- b. At the end of five (5) years, the employee may stay in the district's health insurance program until he/she is eligible for Medicare benefits by paying his/her own premium.
- c. Should the retired employee become covered, or become eligible to be covered, under a plan of another employer, his/her eligibility will cease with USD 437's group health plan.

- d. If a retired employee drops coverage with the USD 437 group health plan, he/she shall not be eligible for membership in the future.

C. **Payment Schedule for Health Benefits**

- a. Required additional premium payments will be paid to the District's Business Office **in advance**. Payments will be for three month periods. Payments will be due July 1st, October 1st, January 1st, and April 1st of each year.
3. Full-time regular classified personnel, upon approved retirement, will receive the current Board approved rate for each accrued sick leave day up to the 120-day maximum accumulation.

JOB CONNECTED INJURY/ASSAULT
See Board Policy GARK

Any employee who is serving in an official capacity for the school district and sustains personal injury; or industrial diseases arising out of and in the course of employment with the district; or loss of personal property (damaged, destroyed or stolen as a result of violence, assault, or physical abuse) shall have the following remedies:

All employees of the district shall be covered by Workers Compensation. Workers Compensation coverage is provided for all employees regardless of assignment, length of assignment, and/or hours worked per day.

The Workers Compensation plan will provide coverage for medical expense and wages to the extent required by the statute to those employees who qualify. When an employee is injured, except in the case of assault, the employee must use available sick leave to cover the absence. If the employee

qualifies for Workers Compensation wages, the employee's sick leave account will be reinstated for sick leave days used during the injury in the ratio of Workers Compensation pay to the employee's regular daily rate of pay. The wages of the next paycheck will be docked in the amount equal to the Workers Compensation pay received. An employee qualified for Workers Compensation who is off work and eligible to draw benefits under this policy shall receive 100 percent (100%) of the daily rate for the day(s) of salary lost by using a combination of accumulated sick leave (if the employee has sufficient days(s) accumulated) and Workers Compensation benefits. In no case shall an employee receive more than 100 percent (100%) of the daily rate of pay for the days benefits are paid.

Any employee who is off of work and is drawing Workers Compensation shall be required to provide the Business Manager with a written doctor's release before the employee is allowed to return to work. In addition, should the employee be released to return to work by the doctor and fail to do so, all benefits under the sick leave shall be ended and those benefits under Workers Compensation shall be restricted as provided by current statute.

Any employee who is serving in an official capacity for the school district and is assaulted by a student, parent, another employee, or outside intruder and, as a result of such injury, has loss of time in performing the employee's duties shall not lose pay or sick leave because of such incident.

LOSS OF PERSONAL PROPERTY

The district may reimburse any employee for clothing or personal property damaged, destroyed or stolen as a result of violence, assault, or physical abuse sustained in the course of the employee's employment. Employees are responsible for dressing in a manner that is appropriate to their job duties. Consideration should be given to safety and possible damage when an employee chooses to wear expensive clothing, jewelry,

accessories, etc. or to bring personal items to the work place. The employee's immediate supervisor or building administrator will assist employees in identifying potential concerns.

The maximum reimbursement paid by the district for items damaged, or stolen by such act shall not exceed \$500 per incident. Reimbursement for losses in excess of \$500 will be covered to the extent allowable under the district's insurance policy. Eyeglasses will be reimbursed to the extent allowable under the district's Workers Compensation insurance policy.

WORK RELATED INJURY PROCEDURE

If an employee is injured on the job the school district has a Workers Compensation Insurance Policy which will help to offset the medical expenses the employee may incur and if eligible, a portion of the lost wages if the employee is forced to miss work. The following steps should be followed when an employee is injured:

Step 1 If the employee has a **work related** critical injury requiring emergency medical treatment, seek treatment from **the St. Francis Hospital Emergency Room**. If that is not possible, go to another emergency medical facility.

Step 2 For non-critical injuries or as a follow up to emergency treatment, the employee must make an appointment with the school district's designated physician:

**St. Francis Health Center Emergency Room Urgent Care
1700 SW 7th Street
Topeka, KS 66696
785-270-5170**

(Use entrance off of 6th street and Horne for ER/Urgent Care)

Step 3

The employee needs to tell the hospital receptionist that he/she is an Auburn-Washburn USD 437 employee. To be eligible for the maximum benefit available under our workers compensation policy the employee must use the school district's designated physician.

Under the Kansas Workers Compensation Laws, an employee can use a physician of his/her choice, but the maximum covered benefit for medical expenses is limited to \$500.

Step 4

As soon as practical the employee must complete the Report by Injured Employee Form. This form is available from the building administrative office or from the business office. The completed form must be sent to the lead accounting clerk in the District Business Office.

Step 5

Medical bills directly relating to the on the job injury must be submitted to the lead accounting clerk who will send them to our Workers Compensation insurance company for payment. If the school district's physician directs the employee to miss work, the employee's immediate supervisor must be notified and a copy of the doctor's order must be sent to the lead accounting clerk. The employee should

return to work only after being released for work by the doctor. A copy of the work release notice must be sent to the lead accounting clerk. *If an employee has a question about how to file a Workers Compensation insurance claim for an "on the job injury" the employee should communicate with his/her direct supervisor, the District Wide Nurse, or call the Business Office (339-4052) and talk to either the lead accounting clerk or the Director of Business Services.*

SUMMER EMPLOYMENT ADMINISTRATIVE PROCEDURE

Summer employment is a temporary position and has no relationship to regular employment. When a nine-month person works during the summer, even if in the same capacity as during the school year, that person is classified as "temporary". Examples are: bus driver, food service, grounds worker and maintenance worker. A temporary employee earns no leave nor benefits and is not working on a budgeted schedule, but rather during a specific term period. Therefore, no leave can be taken, even if it was earned leave during the nine-month period of a regular position. Permission to be absent must be requested in advance from the supervisor. If a temporary employee cannot be at work, he/she is just absent from work without pay. No leave record must be made except for the records of the supervisor.

SICK LEAVE POOL FOR CLASSIFIED STAFF **(A summary of Board Policy GCRGA Classified Sick Leave Pool)**

The Board of Education has approved the establishment of a Sick Leave Pool for the benefit of Full-time, Regular, Classified Employees who have exhausted their normal accumulation of annual, personal, and sick leave. The pool is available for use

only for reasons considered to be hardship, extreme misfortune, or catastrophic for the staff member. The Director of Human Resources manages the sick leave pool procedures; however, the Superintendent has the final decision-making authority.

Participation in the Pool

Participating employees may request days from the Sick Leave Pool for purposes covered under sick leave. Use of the Sick Leave Pool is restricted to those who have previously joined and contributed. Staff members may be eligible to request days from the Sick Leave Pool only if they have previously contributed during that School Year or are vested. The pool of sick days is generated by a contribution of one sick leave day per year. Once an individual has contributed a total of three sick leave days, that member is vested and need not contribute additional days unless the pool was to be reduced to nothing. If the Pool was reduced to nothing, each member must contribute an amount agreed to by the Oversight Committee and approved by the Superintendent.

The day to be deducted to become a member will be taken November 20 of each new school term. This date has been selected to give new employees a chance to accrue at least four days of sick leave. If at the November 20th date the employee does not have a day of sick leave to donate, that person will be ineligible for membership for that school year.

Use of Sick Leave Pool

Requests for use of the Sick Leave Pool must be submitted to the Director of Human Resources in a timely manner. A Sick Leave Pool Request form must be submitted in writing through the building administrator or District-wide Supervisor who will provide a written recommendation. The request must consist of sufficient documentation to substantiate the request. All information will be held in confidence and only disclosed on a need to know basis to those involved in the process. The request must be generated as soon as possible after all normal accumulation of annual, personal, and sick has been exhausted. Requests submitted in excess of thirty calendar days after exhaustion of all accrued

leaves will not be processed. However, requests will be accepted before expenditure of all accrued leave in cases such as maternity leave, or surgery when the person knows the approximate number of days he/she will be short and require.

Management of the Sick Leave Pool

The Sick Leave Pool will be managed by the Director Human Resources and an Oversight Committee that makes recommendations to the Superintendent. The maximum number of days permitted to be used by the requester is fifteen (15) days per year, July 1 through June 30. Additional days for terminal illness or catastrophic health events may be granted by the Superintendent.

Letter of Agreement

A letter of agreement explaining the Sick Leave Pool policies will be given to each applicable staff member employed by the district. Signed letters of agreement will be kept in the individual personnel file.