

SCHOOL DISTRICT OF PHILLIPS

EMPLOYEE HANDBOOK

Adopted: 3-23-2013
Reviewed/Revised: 8-18-2014, 8-17-2015,
5-17-2016, 5-15-2017, 6-18-2018, 8-19-2019,
6-15-2020, 10-18-2021; 6-21-2022

**PHILLIPS SCHOOL DISTRICT
EMPLOYEE HANDBOOK**

TABLE OF CONTENTS

SECTION 1: PURPOSE OF HANDBOOK AND ORGANIZATIONAL STRUCTURE

- 1.1** Purpose of Handbook
- 1.2** Board of Education: Shared Decision Making/Strategic Planning
- 1.3** School Board Governance
- 1.4** The Role of Management
- 1.5** Administration Goals
- 1.6** Line and Staff Relations
- 1.7** School and Community Relations
 - 1.7.1 Access to Public Records*

SECTION 2: PERSONNEL

- 2.1** Working Together
 - 2.1.1 Equal Opportunity Employment*
 - 2.1.2 Employee Harassment/Bullying/Hazing/Other Forms of Discrimination*
 - 2.1.3 Employment of Personnel*
 - 2.1.4 Staff Physical Examinations*
 - 2.1.5 Alcohol and Drug Use by Employees*
 - 2.1.6 Tobacco Use Prohibited*
 - 2.1.7 Staff Ethics*
 - 2.1.8 Student Non-Discrimination, Public & Private Gifts to the School*
 - 2.1.9 Credit Card*
- 2.2** Technology and Communications
 - 2.2.1 Bulletin Boards*
 - 2.2.2 Computer Technology-Employee Behavior and Acceptable Use*
 - 2.2.3 Distribution of Religious and Political Literature*
 - 2.2.4 Political Activities*
 - 2.2.5 Solicitation (Non-Political)*
- 2.3** Safety, Staff Health and Mandatory Reporting
 - 2.3.1 School Safety*
 - 2.3.2 Buildings and Grounds Security*
 - 2.3.3 Electronic Surveillance of Public Areas of School Buildings and Grounds*

- 2.3.4 *Blood Borne Pathogens, Staff Communicable Diseases, and Exposure Control Policy*
- 2.3.5 *Weapons on School Premises*
- 2.3.6 *Mandatory Reporting*

SECTION 3: GENERAL POLICIES

- 3.1** Workplace Policies-General
 - 3.1.1 *Emergency Closings*
 - 3.1.2 *Hours of Work/Work Schedules/Calendar*
 - 3.1.3 *Job Transfers & Promotions*
 - 3.1.4 *Job Vacancies & Posting*
 - 3.1.5 *Layoff*
 - 3.1.6 *Payroll & Payroll Deductions*
 - 3.1.7 *Performance Reviews*
 - 3.1.8 *Personnel Files*
 - 3.1.9 *Support Staff Supervision*
 - 3.1.10 *Wednesday PM School Activity Restrictions*
 - 3.1.11 *Restrictions on Sunday Activities*
- 3.2** Discipline
- 3.3** Separation from Employment
- 3.4** Grievance Procedure

SECTION 4: EMPLOYEE BENEFITS-APPLICABLE TO ALL EMPLOYEES

- 4.1** Fringe Benefits
- 4.2** Jury Duty-Wage Payment
- 4.3** 403(b) Tax Sheltered Annuity Plan
- 4.4** Employee Assistance Program
- 4.5** Family & Medical Leave-State/Federal
 - 4.5.1 *WFMLA*
 - 4.5.2 *FMLA*
 - 4.5.3 *Intermittent Leave*
 - 4.5.4 *Benefits*
 - 4.5.5 *Notice*
 - 4.5.6 *Medical Certification*
 - 4.5.7 *Upon Return to Work*
 - 4.5.8 *Conform with Existing Laws*
- 4.6** Medical & Dental Insurance
- 4.7** Disability Insurance
- 4.8** Life Insurance
- 4.9** Employee Trust Funds (ETF)/Wisconsin Retirement System (WRS)

- 4.10** Paid Leave Provisions
 - 4.10.1** *Paid Time Off*
 - 4.10.2** *Bereavement*
 - 4.10.3** *Medical Leave of Absence*
 - 4.10.4** *Severance/Paid Leave Payout*
- 4.11** Unpaid Leave Provision

SECTION 5: EMPLOYEE BENEFITS-PROFESSIONAL STAFF

- 5.1** Certified Personnel
 - 5.1.1.** *Qualifications*
 - 5.1.2.** *Appointment*
 - 5.1.3.** *Assignment or Transfer*
- 5.2** Substitute Teachers
 - 5.2.1.** *Qualifications-Choosing Substitute Teachers*
 - 5.2.2.** *Substitute Teacher Pay*
 - 5.2.3.** *Long-Term Substitute Teacher Pay*
- 5.3** Inservice
- 5.4** National Convention Attendance

SECTION 6: EMPLOYEE BENEFITS-SUPPORT STAFF

- 6.1** Fringe Benefits
- 6.2** Paid Vacations
- 6.3** Paid Holidays
- 6.4** Overtime Pay and Comp-Time for Support Staff
- 6.5** Support Staff Recruiting/Hiring
- 6.6** Substitute/Part-time Support Staff/Paraprofessional Employment

SECTION 7: COMPENSATION

- 7.1** Retirement
 - 7.1.1.** *Early Retirement-Certified Personnel*
 - 7.1.2.** *Sick Leave Conversion*
- 7.2** Payment Procedures-Retirement Premiums
- 7.3** Wages
 - 7.3.1.** *Certified Personnel*
 - 7.3.2.** *Support Staff Personnel*
 - 7.3.3.** *Additional Compensation*

APPENDIX A: School Organizational Chart

APPENDIX B: Salary Schedules

SECTION 1 PURPOSE OF HANDBOOK AND ORGANIZATIONAL STRUCTURE

1.1 PURPOSE OF HANDBOOK

Each of you is a valued staff member and has an integral part in accomplishing our mission of the School District of Phillips. To help guide our working relationship, this Handbook is being provided as a method of communicating general District information, rules and regulations. Its purpose is to familiarize employees with the personnel policies of the School District.

The provisions set forth in this Handbook supersede all prior personnel policies and procedures, whether written or established by past practice. Because this Employee Handbook is based on Board of Education policies and procedures, federal and state mandated policies and procedures, and present employee fringe benefit programs which are all subject to change, this manual is also subject to change. The Board of Education reserves the right to revise, add, subtract, correct, delete or update any part or all of the materials in this Handbook. Any changes made in this Handbook will be brought to the attention of all employees by: employee meetings, posting of the change on the employee bulletin board, email, or corrections in the Employee Handbook itself.

Pursuant to Wis. Stat. § 118.21, the School Board shall contract in writing with teachers. Please note that nothing contained in this Handbook is to be construed by any employee as establishing, or modifying such teacher contract. Furthermore, nothing herein shall be construed as a guarantee of continued employment nor as a guarantee of any benefits or conditions of employment.

BOARD EDUCATION: SHARED DECISION MAKING AND STRATEGIC PLANNING

To meet these goals and objectives set forth below the Board of Education engages in strategic planning.

Strategic Planning is:

- A process of defining the school's direction or strategies
- A decision-making tool for allocating resources to pursue our direction
- The process by which we envision our future and develop strategies, goals, objectives and action plans to achieve that future
- A living document to be reviewed periodically

Our Vision: Preparing for Tomorrow

Our Mission: To inspire and empower all students to reach their greatest potential.

Our Goals and Objectives:

- Review and assess educational opportunities annually throughout the District that enables each student to achieve their greatest academic and social growth.
- Develop annual objectives and plans that will promote safety and security.
- To create added awareness of the District by implementing or expanding communication strategies that involve family and community members throughout the district.

District Philosophy: The School District of Phillips is committed to providing a quality education for all students. Recognizing that students have different abilities and learning styles, our goal is that all students reach their greatest potential as individuals and as productive and responsible citizens.

The District strives to nurture students to be: self-directed learners, civic-minded and ethical decision makers, skillful problem-solvers, and creative and critical thinkers.

Recognizing that education for the development of well-rounded students does not end with core academics, the District supports a wide range of curricular and extracurricular opportunities.

The District acknowledges the family as the primary influence in the development of the individual and is committed to a partnership of school, family, and community.

The District, as an integral part of the community, promotes life-long learning and quality of life in the community.

Ref. Board Policy 112, Shared Decision Making/Strategic Planning

1.3 SCHOOL BOARD GOVERNANCE

The powers and duties of the Board of Education shall be only as conferred and prescribed by law. Complete and final control as to all matters pertaining to the educational system shall be and are by statute vested in the Board of Education. In the interpretation of the power and duties of the Board, it is understood that the Board shall act as a legislative body in determining the general policies for the control, operation, maintenance, and expansion of the public schools of the School District of Phillips. The execution of these policies, as set forth by the Board, shall be the responsibility of the district administrator, under the supervision of the Board (See Section 1.6)

The Board shall collectively guide and direct the District. The Board will be actively involved in the governance of the District by:

- Being proactive
- Staying informed on relevant issues
- Approaching each task with a style that emphasizes
 1. Outward vision
 2. Diversity in viewpoint
 3. Strategic leadership
 4. Innovation
- Understanding the distinction between governance and operations
- Striving for positive student impact

Ref. Board Policy 150, School Board Governance

1.4 THE ROLE OF MANAGEMENT

Certain rights and responsibilities are imposed by state and federal laws and regulations. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the Employer reserves any and all management rights regarding employees' employment status.

General Guidelines: The role of management includes, but is not limited to, the right to:

- A. Manage and direct the employees;
- B. Hire, promote, schedule, transfer and assign employees;
- C. Lay off and recall employees;
- D. Discharge employees or take disciplinary action;
- E. Schedule overtime as required;

- F. Develop job descriptions;
- G. Assign work duties;
- H. Introduce new or improved methods or facilities or change existing methods or facilities;
- I. Contract out for goods and services;
- J. Discontinue certain operations; and
- K. Direct all operations of the School District of Phillips.

Ref. Board Policy 262, The Role of Management

1.5 ADMINISTRATION GOALS

One of the major functions of the Board of Education is to work with the administration to establish a Strategic Plan and goals by which the District can accomplish its mission and to provide the resources necessary for their accomplishment. Because of the importance the Board places on accomplishing goals, it has established the following policy for effective assessment of the District's progress toward their realization.

The administration of the School District of Phillips is responsible for the direction, coordination and control of students and staff in their efforts to reach educational goals adopted by the Board within the guidelines established by Board policy, local State and Federal law, and employee labor agreements.

To demonstrate leadership and to resolve the inevitable problems and obstacles which will arise both inside the school system and in its relations with the community, the Board expects the administration to specialize in:

1. The processes of decision-making and communication;
2. How to plan, organize, implement and evaluate;
3. Coordinating and guiding the various centers of power within the District and community so as to enable people to work together in a fashion they might not be able to accomplish separately.

Ref. Board Policy 210, Administration Goals

1.6 LINE AND STAFF RELATIONS

The Superintendent shall establish clear understandings on the part of all personnel of the working relationships in the school system. In doing so, the Superintendent shall keep in mind the following general principles:

1. Specific responsibility should be assigned for overseeing the pattern and sequence of educational experiences provided for students in the District. Lines of direct authority shall be shown on the District Organizational Chart approved by the Board of Education. A copy of the District Organizational Chart is provided in Appendix A.
2. Responsibility should flow simply and clearly from students through staff, principals and the Superintendent to the Board of Education.
3. Each member of the staff will be informed as to whom he/she is responsible and for what functions.
4. Whenever possible, each member of the staff should be made responsible to only one immediate supervisor for any one function.
5. Each staff member will be informed as to whom he/she can appeal in case of disagreement with the person to whom he/she is responsible. Employees shall have the right to appeal any decision made by an administrative officer to the next higher authority and through appropriate successive steps to the Board. Review of decisions concerning employee terminations, employee discipline and workplace safety may be appealed through the grievance procedure set forth in Section 3.4.
6. Each staff member will be informed as to whom he/she can go for help in working out his/her own functions in the school program.

In administering this policy, the Superintendent shall be guided by the knowledge that the Board values the freest possible interchange of ideas outside the established framework of direct responsibility. Nothing provided herein shall be interpreted as intended to interrupt the free and open flow of ideas and assistance among personnel at every level.

Ref. Board Policy 251, Line and Staff Relations

1.7 SCHOOL AND COMMUNITY RELATIONS

1.7.1 PUBLIC RECORDS

1. Designation of Public Records

The Board of Education hereby recognizes and designates all of its records which are subject to and are included in the definition at §19.32(2), Wis. Stats., as public records and documents subject to inspection and reproduction as required by law.

2. Designation of the Legal Custodial of the Records of the District

The Board of Education hereby designates the position of Superintendent or designee as the official custodian of the public records of the District. It shall be the responsibility of the Superintendent or designee to execute all duties and responsibilities of the District pursuant to Wisconsin's Public Records and Property Law[§19.33(4), Wis. Stats.].

As the custodian of the records of the District, the Superintendent or designee shall be responsible to the Board of Education for a timely response to any request for access to the public records of the District. The custodian shall be responsible for the release of the public records of the District, the conditions under which records may be inspected, and the collection of costs for the location, reproduction, and/or mailing or shipping of such records, as well as for the preparation of written statements denying access in whole or in part.

It is directed that all employees of the District be informed in writing that the above-described designee has been designated the custodian of the public records of the District. Employees shall further be informed of the duties of the custodian and shall also be made aware of the other requirements and provisions of this policy.

3. Powers of the Custodian of the Records of the District

All requests for the release, inspection and/or reproduction of the public records of the District shall be directed or referred to the responsible custodian.

The custodian is hereby vested with full legal power to make all necessary decisions relative to the withholding of or release, inspection and reproduction of public records and is further granted all authority necessary to carry out all duties and responsibilities required by either the Wisconsin Public Records Law [§19.31-19.39, Wis. Stats.] or this policy.

4. Procedure for the Release, Inspection and Reproduction of Records of the District
Pursuant to §19.34(1), Wis. Stats., the District hereby adopts a Notice as the official means of advising the public of the procedure of the District in

responding to requests for release, inspection or reproduction of the records of the District.

The Notice is intended to provide all necessary information which might be required by a member of the public in order to obtain access to the records of the District. Any questions in regard to the Notice shall be directed to the custodian of the records of the District.

The Notice may be modified from time to time by Board of Education action, but absent such modification, the decisions of the custodian of the records of the District shall be in conformity with its provisions.

Copies of the Notice adopted by the Board of Education shall be prominently displayed in appropriate locations in offices of the District and a copy of the Notice shall be made available to any member of the public upon a request for inspection or reproduction.

5. Adoption of Fee Schedule Regarding the Costs for the Location and/or Reproduction of the Records of the District

The Board of Education hereby adopts a fee schedule in accord with §19.35(3), Wis. Stats., to cover the actual costs relating to the location, reproduction and mailing or shipping of any of the records of the District. It is intended that this fee schedule shall cover the payment of the actual, necessary and direct costs incurred in locating a document, in providing any person with a reproduction of any of the records of the District and in sending the same to the requestor. This schedule shall be reviewed periodically by the Board of Education and adjusted by motion or resolution as the need arises. Exceptions to the fee schedule may be considered by the custodian.

6. Record Preservation

The records of the District shall be retained and preserved by the custodian as required by all applicable laws and District Policies and no records shall be destroyed without prior written approval of the custodian.

District records shall be maintained by the custodian in such a manner as to preserve them and to prevent their deterioration. Original records shall not be taken from their places of custody. If a requestor desires to review records at a location other than their place of custody, he/she shall be given the opportunity to have reproductions made.

7. Indemnification of the Custodian of the Records of the District

Any costs or fees incurred by the legal custodian of the records of the District shall be directly reimbursed by the District to the custodian and shall not be treated as the personal liability of the custodian.

8. Separation of Information

If a record contains information which may not be made public, the custodian shall separate from it such information as may be made public and make the latter available for inspection and reproduction. There shall be no fee charged for separation costs.

9. Limitations on Access

The custodian shall be guided by s.19.36, Wis. Stats., and Wisconsin common law in deciding whether or not to withhold certain records from public inspection.

Ref: Board Policy 823, Access to Public Records

SECTION 2 PERSONNEL

2.1 WORKING TOGETHER

2.1.1 EQUAL OPPORTUNITY EMPLOYMENT

The School District shall not discriminate against employee or applicant on the basis of race, religion, political affiliation, disability or handicap, sex or sexual orientation, age, national origin, citizenship, marital status, ancestry, color, arrest or conviction record, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, or any other reason prohibited by law.

Application forms, hiring practices, and personnel administration shall be evaluated on a regular basis relative to equal opportunity employment.

Reasonable accommodations shall be made for qualified individuals with a disability or handicap, unless such accommodations should impose an undue hardship to the District.

Complaints regarding the administration or application of this policy shall be referred to the administrative staff and processed in accordance with established procedures.

Notice of this policy shall be periodically published in local and school newspapers, incorporated into District application forms, and published elsewhere as is necessary to give continuing notice. A notice shall also be posted in accordance with state and federal laws and regulations.

Ref. Board Policy 511, Equal Opportunity Employment

2.1.2 EMPLOYEE HARASSMENT, BULLYING, HAZING, AND OTHER FORMS OF DISCRIMINATION

The School District of Phillips shall strive to maintain and ensure a learning and working environment free of any form of harassment, bullying, hazing or intimidation toward or between students and employees. Unlawful harassing, discriminatory or retaliatory conduct which may relate to the work environment is strictly prohibited.

Harassment

Refers to physical or verbal conduct which interferes with a person's work or school performance, or which creates an intimidating, hostile or offensive school or work environment. Examples of conduct prohibited under this policy include, but are not limited to, the following:

- Physical or mental abuse.

- Verbal comments or other expressions which insult, degrade or stereotype any person or group because of sex, race, religion, national origin, color, disability, sexual orientation or other protected status.
- Unwelcome sexual advances. This includes but is not limited to acts such as patting, pinching, brushing up against, hugging, cornering, kissing or any similar physical contact that is considered unacceptable by another individual.
- Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment or academic status.
- Verbal abuse or joking that is sexually oriented and considered unacceptable by another individual.
- Other unwelcome verbal or physical conduct of a sexual nature. "Sexual harassment" includes conduct directed by a person at another person of the same or opposite sex.

The District shall not tolerate any form of harassment and shall take necessary steps to prevent such harassment from occurring. Any employee or student who engages in harassment shall be subject to disciplinary action or, in the case of an employee-offender, discharge from employment in accordance with established procedures and/or provisions of a current employee bargaining agreement.

Bullying

Bullying is defined as the repeated intimidation of others by the real or threatened infliction of physical or emotional abuse, through verbal, written, electronically transmitted means, or through attacks on the property of another. It may include, but is not limited to, action such as verbal taunts, spreading rumors, name-calling and put-downs, extortion of money or possessions and exclusion from peer groups within the school environment. Such conduct based on race, ethnicity, disability, gender, sexual orientation or other protected class status may constitute harassment and/or unlawful discrimination.

Employees who engage in any act of bullying at school, at a school function, or in connection to any activity sponsored by the District, are subject to disciplinary action in accordance with Board Policy, up to and including written reprimands, suspension or termination.

Students and employees shall be informed annually of this prohibition via the parent/students handbook, employee handbook, or other such publications. This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions or debate, which is protected by state or federal law (see Bullying Policy No. 443.71).

Hazing

Hazing is defined as any intentional, knowing or reckless act meant to induce physical pain, embarrassment, humiliation, deprivation of rights, or that creates physical or mental

discomfort, or that results in property damage or theft, and is directed against a student for the purpose of being initiated into, affiliating with, holding office in (collectively called initiation activities), or maintaining membership in any organization, club or athletic team sponsored or supported by the District and whose membership is totally or predominately other students from the District. Hazing is prohibited and applies to any and all student-sponsored and adult-sponsored activities that have been approved by the District. An example of an approved school-sponsored initiation activity is the ceremony for the induction of students into the National Honor Society.

Employees engaging in any hazing or hazing-type behavior that is in any way connected to any activity sponsored or supported by the District will be subject to disciplinary actions in accordance with Board Policy, up to and including written reprimands, suspension or termination. Students and employees shall be informed annually of this prohibition via the parent/student handbook, employee handbook or other such publications.

Duty to Report

Any person who believes he/she has been harassed or subject to other forms of unlawful discriminatory conduct, or has belief or knowledge that a policy violation has occurred, must file a complaint with the high school/middle school principal, elementary principal, Superintendent or Board President in accordance with established complaint procedures. Any/all complaints/reports of alleged or witnessed occurrences must be reported as soon as possible. All complaints shall be seriously and properly investigated by the District. Based upon the investigation's outcome, the District will take appropriate action(s) to resolve the complaint.

The District prohibits employees and students from retaliating against those who report complaints or who assist in an investigation. Students and others who retaliate shall be subject to discipline. In the case of an employee-offender, the employee may be subject to discipline up to and including discharge from employment.

Employees who participate in, allow, or knowingly fail to enforce this policy or the student harassment/bullying/hazing policy will be subject to disciplinary action up to and including discharge from employment.

The District retains the right to notify law enforcement officials of any complaint, at any stage in the investigation of the allegation(s).

Ref. Board Policy 512, Employee Harassment Policy

2.1.3 EMPLOYMENT OF PERSONNEL

The Superintendent of Schools shall interview or supervise a process to interview all applicants for any position in the School District. He/she shall review credentials and qualifications.

Since the School Board is the employing agent, the Superintendent shall present to the Board his/her recommendations on the applicants for any position in order that the Board may fulfill its obligation as employer of District personnel.

A majority vote of the Board present shall be required for any employment.

Should an emergency arise when the Board cannot be convened, the Superintendent must secure the approval of the Board President and the Board Clerk before employing any personnel.

Ref. Board Policy 513, Employment of Personnel

2.1.4 STAFF PHYSICAL EXAMINATIONS

1. All new personnel shall have a physical examination and tuberculosis screening questionnaire, as a condition for entering employment. A test to determine the presence or absence of tuberculosis in a communicable form is required only if the need for such a test is indicated for the employee (eg. by the responses to the screening questionnaire).

2. Employees who are engaged in the transportation of school children must have physical examinations every two years.

3. All other personnel will be required to have a physical examination and tuberculosis screening questionnaire, with follow-up tests if necessary, once every ten years.

4. The cost of such examinations, including tuberculin tests, shall be paid out of School District funds.

Ref. Board Policy 523.1, Employee Physical Examinations (Wisconsin Statutes 118.25)

2.1.5 ALCOHOL AND DRUG USE BY EMPLOYEES

The School District of Phillips has a strong commitment to provide a safe workplace for employees and to promote high standards of employee health and safety. While the District has no intention of intruding into the personal lives of employees, the

District does recognize that serious involvement with drugs and alcohol eventually takes a toll on job performance.

Employees are expected to be in suitable mental and physical condition to be at work and to perform their jobs satisfactorily. Where the use of alcohol and other drugs interferes with such expectations, employees will be offered appropriate assistance. Seeking voluntary assistance for these problems will not jeopardize an employee's job, whereas continued problems with work performance, attendance, behavior, or other unacceptable conduct, will result in disciplinary action.

Employees are to report to work free of the effects of alcohol and illegal drugs. Employees who are found to be under the influence of alcohol or illegal drugs will be subject to disciplinary procedures.

The use, possession, sale or transfer of illegal drugs, drug paraphernalia, or controlled substance will be grounds for disciplinary action, up to and including discharge.

Alcohol

The use or sale of alcohol in or on school property, during working hours including any paid or unpaid lunch periods, in any District-owned or contracted vehicle, or at school-sponsored events by any employee is prohibited and will be grounds for disciplinary action up to and including discharge.

Illegal Drugs

The use, possession, sale, or transfer of illegal drugs, drug paraphernalia, or controlled substance in or on school property, during working hours including any paid or unpaid lunch periods, in any District-owned or contracted vehicle, or at school-sponsored events by any employee is prohibited and will be grounds for disciplinary action, up to and including discharge.

Prescription Drugs

Employees are expected to consult with their medical provider about any potential side-effects of a drug prescribed for their personal use, and inform their supervisor if using the drug may impair their job performance; this information will be retained in the employee's medical file. Employees are responsible for using the prescription in the manner prescribed.

Referral to Law Enforcement

Any suspected violation of any of the prohibitions which may constitute a violation of local ordinances or state or federal law shall be promptly reported by the Superintendent or designee to the appropriate law enforcement agency.

Offer of Employee Assistance Program

When an employee is in violation of this policy, on the job, in District facilities,

vehicles, or on school grounds, or at a school-sponsored activity, the administrator or supervisor may offer the Employee Assistance Program.

1. The supervisor will review the purpose of the EAP and explain that the program is confidential and voluntary.
2. An employee has the choice to participate or to not participate. The employee's participation and/or nonparticipation in the EAP in no way excuses the employee's responsibility to meet the requirements of this policy and the required performance standard of the employee's job. All evaluations and subsequent actions will be based upon an employee's performance, without reference to the EAP.

Drug and Alcohol Testing

The District may conduct drug and alcohol testing based on reasonable suspicion that the employee is under the influence of alcohol or illegal drugs and may conduct testing for employees in testing-designated positions (such as CDL). Any such testing will be done in accordance with established procedures.

Ref. Board Policy 522.1, Alcohol and Drug Use by Employees

2.1.6 TOBACCO USE PROHIBITED

The School District of Phillips prohibits the use of all tobacco products on premises owned by, rented by, or under the control of, the School Board. The tobacco prohibition applies to everyone on school premises – students, staff, and the public.

Exception upon request, with approval of the School Board, may be allowed for non-educational purposes.

Ref. Board Policies 522.2, 831, Tobacco Use Prohibited

2.1.7 STAFF ETHICS

A staff ethics policy is important for promoting a positive relationship with students, administration, and other staff, and is of paramount importance in student achievement. An acceptable code of ethics is essential since students learn by example.

All District employees are expected to accept responsibility for their conduct and to understand that their conduct may be regarded as representative of the District. Employees are required to abide by a standard of conduct that models good citizenship, integrity, high ethical standards and self-discipline. District employees are seen as role models of these behaviors for students, other staff, parents, and the community. It is expected that District employees promote such behavior that will maintain the respect of students, parents, and the community.

Violations

The superintendent or his/her designee will normally have a conference with a staff member who is alleged as being in violation of the staff ethics policy. Violations will be handled in accordance with the appropriate law, policy, procedure, or handbook provision. Discipline, if determined to be appropriate, will take into consideration the seriousness of the occurrence(s), the context of the occurrence(s), and the performance record of the staff member.

This policy will be disseminated to all employees annually at the first staff in-service of the year.

Ref. Board Policy 522.4, Staff Ethics

2.1.8 STUDENT NONDISCRIMINATION, PUBLIC AND PRIVATE GIFTS TO THE SCHOOL

The Board may accept and use any bequest or gift of money or property for a purpose deemed by the Board to be consistent with District goals. Equipment and materials purchased for or donated to the public school by individuals, agencies, or organizations outside of the school must have approval of the Board.

All gifts or bequests shall become the sole property of the District to be used at the discretion of the Board, unless otherwise specified in the bequest.

The School District of Phillips shall not discriminate in acceptance and administration of gifts, bequests, scholarships and other aids, benefits or services to students from private agencies, organizations or persons on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability, or handicap.

Ref. Board Policy 840, Student Nondiscrimination, Public and Private Gifts to the School

2.1.9 USE OF CREDIT CARD/P-CARD POLICY

The Board of Education recognizes the value of an efficient method of payment and recordkeeping for certain expenses. The Board, therefore, authorizes the use of District credit card/P-cards.

Credit card/P-cards shall not be used to circumvent the general purchasing procedures established by Board policy. The Board affirms that credit card/P-cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the District and serve a valid and proper public purpose shall be paid for by credit card/P-card. Under no circumstances shall credit card/P-cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection

with a meal.

Inappropriate or illegal use of the credit card/P-card and/or failure to strictly comply with the limitations and requirements set forth in the administrative guidelines may result in:

- a loss of credit card/P-card privileges,
- disciplinary action, up to and including termination,
- personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase,
- and/or possible referral to law enforcement authorities for prosecution.

The Board directs the District Administrator to determine and specify those employees authorized to use District credit card/P-cards. The District Administrator shall be responsible for giving direction to and supervising such employees' use of District credit card/P-cards.

The District Administrator shall develop administrative guidelines that specify those authorized to use credit card/P-cards, the types of expenses which can be paid by credit card/P-card, and their proper supervision and use.

Ref. Board Policy 673.1, Use of Credit Cards/673.2 P-Card Procedure Manual

2.2 TECHNOLOGY & COMMUNICATIONS

2.2.1 BULLETIN BOARDS

The District will keep employees informed about District activities and provide a bulletin board for use by employees for posting of communications.

Prior Authorization: Authorization for employees to use the bulletin board must first be obtained from management. All persons who post notices, letters, and the like on bulletin boards without first obtaining authorization will be subject to disciplinary action, up to and including termination.

2.2.2 COMPUTER TECHNOLOGY EMPLOYEE BEHAVIOR & ACCEPTABLE USE POLICY

The District encourages educational use of all technology. It is the position of the School District of Phillips that use of the District's computer technology is a privilege afforded to employees who are expected to act in full compliance with all rules and regulations of the District.. All employer-provided electronic and media systems are the District's property and not the personal property of any employee. Misuse of the system may result in disciplinary action.

Internet and Computer Uses, Rules, and Guidelines

The School District of Phillips offers the privilege of Internet access. With this learning tool, employees must understand and practice proper and ethical use.

This document contains the Acceptable Use Policy for use of the Network and its associated components. The term "Network" is defined as all computer operations that are electronically sent to and out of an individual workstation or computer; this includes electronic mail. "Components" refers to any and all devices/materials used in technology, including computers, printers, scanners, cameras, data lines, software, etc. The term "employee" refers to anyone who is employed by the School District of Phillips. This policy also applies to all other users of the Network except students.

I. Educational Purpose

- A. The Network has been established for appropriate educational purposes. The term "educational purpose" includes classroom activities and career development.
- B. The Network has not been established as a public access service. The School District reserves the right to place restrictions on the material one may access or post through the system. Employees are expected to follow the rules set forth in this policy and under the laws of the State of Wisconsin and United States with respect to their use of the Network. The School District further reserves the right to amend these regulations, from time-to-time, in which event it shall so notify users of the system.
- C. Employees may not use the Network for commercial purposes. This means employees may not offer, or provide products or services through the Network. Employees are not prohibited from using the Network to raise funds if all of the following conditions are met:
 - 1) the employee represents a recognized entity of the District,
 - 2) the profits for said products or services return directly to the District and
 - 3) prior approval from administration, in writing, is obtained.
- D. Employees may not use the Network for political lobbying. Employees and/or classes may use the system to communicate with elected representatives, to express opinions on political issues, and to gather information related to governmental operations.
- E. Certain Web 2.0 services, such as social networking sites, wikis, podcasts, RSS feeds and blogs that emphasize online educational

collaboration and sharing among users, may be permitted by the District. However, such use must be approved by the Technology Coordinator or designee, followed by training authorized by the District, which will include application and responsible use training. Users must comply with this policy as well as any other relevant policies and rules during such use.

- F. The Internet and computer systems are not to be used to access or create any offensive or disruptive messages or documents. Employees are specifically prohibited from using electronic systems for any illegal, illicit, immoral or offensive purposes, or for using electronic media in a manner that violates any Handbook policy. Employees who violate this policy may be subject to discipline, up to and including discharge from employment.

II. Student Internet Access

(Section II is included here so that employees have an understanding of the procedures students are required to follow while under the jurisdiction of an employee.)

- A. High School students shall have access to Internet information resources through their classroom, library, or school computer lab only upon receipt of written parental approval and assuming the privilege has not been revoked. High School students shall have "on site" supervision. On site supervision means that a staff member is physically present in the room in which the Network is being accessed/utilized by a student.
- B. High school students and their parents must sign an Acceptable Use Policy Agreement to be granted access to the Internet using the Network. The student's parents can withdraw their approval at any time. Withdrawal of parental consent shall cause a revocation of a student's Internet use privileges.
- C. Elementary and middle school students shall have Internet access only under the "direct supervision" of their teachers. Direct supervision is defined as eye contact with student screen, either electronically or physically, by a staff member.
- D. Student email (electronic mail) is not supported at this time. However, circumstances may arise where email for middle and secondary students may be provided for a limited time and for purely educational purposes as a result of a class project.

III. Misconduct and Unacceptable Use of Computers

The following uses of the Network and associated components are considered unacceptable and may be considered misconduct.

A. Placing Others at Risk

Employees shall not post personal contact information about other people. Personal contact information may include one's address, telephone, school address, work address, photos etc.

B. Illegal Activities

- 1) Employees shall not attempt to gain unauthorized access to the Network or to any other computer system through the Network or go beyond authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing."
- 2) Employees shall not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- 3) Employees shall not use the Network to engage in any illegal act, such as arranging for a drug sale or the purchase of alcohol, participating in criminal gang activity, threatening the physical and/or emotional safety of another person, etc.

C. System Security

- 1) Employees are responsible for their personal account and should take all reasonable precautions to prevent others from being able to use that account. Under no conditions should one provide his/her password to another person.
- 2) Employees shall not break into or attempt to break into secure areas of the Network. This includes breaking into or attempting to break into the District's Network, or any other secured network, including Internet sites.
- 3) Employees shall immediately notify the system administrator if a possible security problem has been detected. Seeking out security problems/issues may be construed as an illegal attempt to gain access and may result in the loss of future use of the Network.

- 4) Employees shall avoid the inadvertent spread of computer viruses by following the District virus protection procedures.
- 5) Educational software has been installed for student and employee use. Only District personnel are to install software on workstations with the prior approval of the Technology Coordinator. The District shall maintain appropriate licenses for all computers.

D. Inappropriate Language

- 1) Restrictions regarding inappropriate language apply to public messages, private messages (email), and material posted on Web pages.
- 2) Employees shall not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- 3) Employees shall not post information that could cause damage or a danger of disruption to the system.
- 4) Employees shall not engage in personal attacks, including prejudicial or discriminatory comments based on any protected class including, but not limited to, age, race, color, creed, disability, religion, sex, national origin, ancestry, arrest record, conviction record, marital status, sexual orientation, genetic testing, membership in the national guard, state defense force or any other reserve component of the military forces.
- 5) Employees shall not harass another person. Harassment can include: a) unsolicited and repeated derogatory epithets, derogatory statements made to a person because of his/her protected status, b) any attempt to penalize a person because of his/her protected status, and c) creating an offensive and hostile working environment for a person because of his/her protected status, including sexual harassment.
- 6) Employees shall not knowingly or recklessly post false or defamatory information about a person or organization.

E. Dissemination of Personal Identification (Respect for Privacy)

- 1) Employees shall not repost a message that was sent privately without the permission of the person who sent the original message.
- 2) Employees shall not post private information about another person.

F. Plagiarism and Copyright Infringement

- 1) Employees shall not plagiarize works that are found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were one's own.
- 2) Employees shall respect the rights of copyright owners. If there is uncertainty whether or not one can use a work, permission should be requested from the copyright owner.
- 3) The District will put in place measures to maintain compliance with State Statute Section 943.70(2), the Federal Copyright Act and the “fair use doctrine”.

G. Respecting Resource Limits

- 1) Employees shall use the system only for appropriate educational and career development activities.
- 2) Employees shall not download large files unless absolutely necessary. If necessary, the data should be downloaded at a time when the system is not being heavily used. The file should immediately be removed from the system computer when finished. Storage capability is restricted.
- 3) Employees on the Network can expect to have individual storage capacity limited and adjusted by the District in accordance with the needs of the District.
- 4) Employees may neither prevent others from accessing the system, nor unreasonably slow down the system.

H. Inappropriate Access to Material

- 1) Employees shall not use the Network to access material that is profane or obscene (pornography), that advocates illegal acts, that advocates drug use, or that advocates violence or discrimination towards other people (hate literature). A special exception may be made to a particular employee if the purpose is to conduct research, and the supervisor has approved, in writing, such action prior to doing the research.

- 2) No inappropriate materials, as defined in the preceding paragraph, may be loaded onto School District workstations, the Network, or printed from school printers.
- 3) If one mistakenly accesses inappropriate information, one should immediately notify the District Technology Coordinator.
- 4) Failure to stop and/or failure to immediately turn the control of the computer over to District personnel for reviewing the history of one's Internet travels, or to view files, shall be declared as a deliberate attempt to cover up wrong doing.

I. Internet Filtering

- 1) The School District of Phillips employs hardware and software that is designed to filter and block inappropriate sites, and to a lesser degree, high-risk activities. The current filter will block sites that contain:
 - a. Nudity - The absence of clothing or exposing any and all parts of the human genitalia. Exceptions include "classical" nudes and swimsuit models.
 - b. Adult Content - Any material that has been publicly labeled as being strictly for adults.
 - c. Sex - Description or depictions of all sexual acts and any erotic material.
 - d. Violence - Graphic depictions of all graphically violent acts including murder, rape, torture and/or serious injury.
 - e. Drug Use - Usage or encouraging usage of any recreational drugs, including tobacco and alcohol advertising. Exceptions include material with valid educational use, e.g., drug abuse statistics.
 - f. Bad Language - Crude or vulgar language or gestures.
 - g. Discrimination - Denigration of others' race, religion, gender, nationality, and/or sexual orientation.
 - h. Crime - Encouragement of, tools for, or advice on carrying out universally criminal acts. This includes lock-picking, bomb-making, and hacking information.
 - i. Tastelessness - Excretory functions, tasteless humor, graphic medical photos outside of medical context and some extreme forms of body modification, e.g., cutting, branding, genital piercing.
 - j. Chat Sites - Online chatting creates a situation in which the activity cannot be monitored. It further places the student and employee at potential risk.

- k. High Risk Events - Sites which lack editorial control. Some of these may fall into one of the other blockable categories.
- l. Non-educational Sites - The District reserves the right to block other sites that do not support the goals of the Network, namely, the enhancement of classroom activities and career development. The District is further interested in preparing students for the work place. Therefore, sport and entertainment sites may also be blocked.
- m. Auction sites – Auction sites do not monitor for weapons, sexual items, or other illegal merchandise unsuitable for minors.

- 2) The employment of an Internet filter shall not diminish the user's personal responsibility for appropriate use of the Network. Filtering is not infallible.

J. Blocking Sites

- 1) The District reserves the right to block sites that do not enhance classroom activities and/or career development.
- 2) Employees are required to contact the Technology Coordinator and/or the filtering vendor directly, should any one inadvertently access a site that is inappropriate for the school setting.

K. Removing the Filter

- 1) Removing a site/activity from the blocked list will require a high level of justification. Anyone wishing that removal will put the request in writing. The request will be given to the building administrator. The committee will review the site/activity in question. The committee shall be composed of the following:
 - a. Building Administrator
 - b. Superintendent or designee
 - c. Technology Coordinator
 - d. An uninvolved staff member
- 2) The decision to remove the block on the site/activity will be based on the following criteria. Each of the criteria will be judged using contemporary community standards.
 - a. Does the educational value of the site/activity significantly outweigh the inappropriate nature of the site/activity?

- b. Does the site/activity significantly enhance the curriculum?
 - c. Can the material/information be obtained from other more appropriate sources?
- 3) Employees will be notified of the approval or disapproval of the request in a timely manner. If the removal of the site/activity is granted, the committee will further indicate the length of time the block is to be removed.

L. Web Pages and Social Media

- 1) The District maintains a web server for the purpose of disseminating information about District events, highlighting educational activities, and serves as a resource for students, staff, and community.
- 2) Individuals whose names, photos, and the like, shall be incorporated into the Web page must give written authorization before such items can be used. (Minors must have a parent/guardian signature.) Businesses, organizations, etc. shall be granted the same right.
- 3) The Web page shall not violate any part of this Policy or any other Handbook policy.

There shall be no links on the established Web page to sites that violate any part of this Policy or any other Handbook policy.

The School District of Phillips' website will remain the District's primary internet presence. Content posted to the District's social media sites will also be available on the District's website and/or will include a link to the District's website.

The School District of Phillips recognizes the value of social media sites as a means of communication and education and authorizes the District use of such social media in accordance with established board policy to further the goals of the District.

All social media sites posted by District staff members will be subject to approval by the District administrator and the District's information technology director. The District reserves the right to

restrict or remove any content that is deemed in violation of Board policy, state law, Federal law, regulations, or Handbook provisions.

- Visitors and users of District sponsored social media sites shall be notified that the intended purpose of the site is to serve as a form of communication between the District and the public.
 - Social media sites posted by District staff members will limit public interaction by restricting the public's involvement (i.e. limiting participation in social media sites to a "fan" type of status rather than a "friend" type of status).
 - Social media sites posted by District staff members will not permit others to identify any person included in photographs.
- 4) District social media sites are subject to the Wisconsin public records laws. The person or department responsible for creating/maintaining a site will ensure that content is available in an accessible format that is easily produced in response to a request for public records. Each site must state that all requests for public records must be directed to the District Administrator.
- 5) Persons/departments responsible for creating/maintaining a site will preserve records in accordance with established District records retention schedules.
- 6) For each social media tool approved for use by the District, the following documentation will be developed, adopted, and distributed to staffs: (a) operational use guidelines, (b) standards and processes for managing accounts on social media sites, (c) District and departmental branding standards, (d) District-wide design standards, and (e) standards for the administration of social media sites.

M. Cyber Bullying

Any form of harassment using electronic devices, commonly known as "cyber bullying" by students, staff or third parties is prohibited and will not be tolerated in the District. "Cyber bullying" is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity. In addition, any communication of this form which disrupts or prevents a safe and positive educational or working environment may also be considered cyber bullying.

N. Cyber Bullying Awareness and Response

Prior to receiving authorization to access District owned devices, computers, or networks; students, staff and/or third parties will be made aware of our stance on cyber bullying by agreeing to the terms outlined in the communication and computer technology acceptable use policy.

Actions identified by District Administration or its designee as cyber bullying will be handled in accordance with District policies, discipline procedures, and state and federal law. For employees, discipline may include verbal/written warning, suspension, discharge from employment and/or referral to law enforcement.

Social networking training will include application and responsible use training. Users must comply with this policy as well as any other relevant policies and rules prior to obtaining authorization to use social networking sites.

IV. Hardware

A. CD's DVD's, Computers, and other Peripheral Devices

- 1) The District will not be responsible for loss or damage to personal items used on the District's network/computers. CD's, DVD's and any other peripheral devices are supplied by the District for student and staff use.

B. Printers

- 1) Employees may use District printers, within reason, to occasionally obtain copies of documents for personal use. Employees needing a large number of copies of a document, or a copy of a large document, should not use District printers.

Employees wanting personal *color* copies shall be charged per page.

V. Electronic Mail

A. Cautions

Employees should be aware of the following:

- 1) Both the nature of electronic mail and the public nature of the School District's business make electronic mail less private than users may anticipate. For example, electronic mail intended for one person sometimes may be widely distributed because of the ease with which it can be forwarded to others by recipients. Furthermore, protections

used to secure the integrity of electronic mail, such as system back-ups, may also compromise its privacy.

- 2) The School District cannot routinely protect users against such eventualities. Neither can the school district, in general, protect users from receiving electronic mail they may find offensive. Nevertheless, members of the School District community are strongly encouraged to use electronic communications with the same personal and professional courtesies and considerations they would use in other forms of communication.
- 3) There is no guarantee, unless "authenticated" mail systems are in use, that electronic mail received was in fact sent by the purported sender, since it is relatively easy for senders to disguise their identity. Furthermore, electronic mail that is forwarded may also be modified. Receivers of electronic mail documents should check with the purported sender if there is any doubt about the identity of the sender or the authenticity of the contents.

B. Ownership

- 1) An employee school email address is owned and provided by the School District of Phillips. Usage of such address constitutes a privilege afforded to an individual and is subject to withdrawal or revocation at any time by the District.
- 2) When an employee's affiliation with the district is terminated, the School District shall terminate the employee's email and associated accounts.

C. Personal Use

School District electronic mail services may, subject to the foregoing, be used for incidental personal purposes provided such use does not interfere with School District operation of information technologies or electronic mail services, burden the School District with incremental costs, interfere with the user's employment or other obligations to the School District or violate any Handbook provision or state/federal law.

VI. Your Rights

A. Free Speech

The School District of Phillips reserves the right to regulate student and employee speech disseminated under the auspices of the District, it being the mission of the District to inculcate community values. Thus, because student and employees use of the system is a component of the District curriculum and because the District desires to establish high standards for student and employee speech which is disseminated under its auspices, it reserves the right to regulate student and employee speech and to refuse to be associated with speech which is ungrammatical, poorly written, vulgar, profane or unsuitable for immature audiences. Subject to his/her reservation of rights in the School District and subject also to the exercise of free speech rights for purposes validly associated with an educational purpose and further subject to the building staff Handbook, and/or other appropriate Board policy, students and staff shall have the ability to exercise their rights of free speech in use of the system in the context of a limited public forum, which designation the District applies to the system.

VII. Liability

The School District of Phillips makes no guarantee that the functions or the services provided by or through the District system shall be error-free or without defect. The District shall not be responsible for any damage one may suffer, including but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system. The District shall not be responsible for financial obligations arising through the unauthorized use of the system, nor shall the District be responsible for damage done to personal disks, software, CD's, etc., as a result of using District equipment.

VIII. Duty to Report

A. If an employee has knowledge that someone is engaging in or has engaged in unauthorized behavior on a computer, associated components, or with the Network, the individual is required to immediately report the behavior to supervisory personnel.

- B. When the District incurs a cost due to employee negligence or misuse, the employee shall be responsible for all costs associated with the repairs.

Reference Board Policy 522.7 Computer Technology Employee Behavior & Acceptable Use Policy

2.2.3 DISTRIBUTION OF RELIGIOUS AND POLITICAL LITERATURE

It shall be the policy of the Board of Education that distribution of religious or political literature shall be prohibited within or on the grounds of each school within the District unless such literature is to be used in a Board approved course of study, to achieve state literary educational objectives. No religious or political material may be used to promote or detract from any specific religious group or denomination or to promote or detract from any political party or individual.

Ref. Board Policy 853, Distribution of Religious and Political Literature

2.2.4 POLITICAL ACTIVITIES

Employees are free to engage in political activity outside of work hours and to the extent that it does not adversely affect the performance of job duties, working relationships or District operations. When engaging in political activity or engaging in discussion of issues of public importance, employees are expected to ensure that their actions and positions are not attributed to the District. School District resources may not be used for promoting a particular candidate or political party or for advocating a particular position on an issue that has become identified as the viewpoint of a particular candidate or party.

Definition of “Employer Resources”: Employees may not use employer resources for political activities. Employer resources include office supplies, electronic equipment including e-mail, facsimile and photocopying machines, bulletin boards and other public spaces. (Use of bulletin boards requires authorization of management and is off-limits to public use.)

Definition of “Political” Activities: Political activities include partisan and non-partisan elections and referendums. Any political activity must be conducted independent of your role as an employee. The following guidelines are not exhaustive, but are intended to help in differentiating between those activities that may be viewed as harmful to workplace functioning and those activities that generally fall outside the “political” activities subject to employer restrictions and intervention. Employees are expected to avoid the following political activities:

- Using working hours or employer resources to solicit money or signatures or to make political contributions;

- Using non-work hours to solicit contributions, signatures or services from other employees who are on work time;
- Posting political materials in areas open to the public (generally, individual work stations that are not available to the public are exempted from this restriction unless the post causes a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment and intimidation in the workplace);
- Using the employer's mailing address as the return address for political solicitations;
- Providing employer mailing lists to any individual or organization for political solicitations if this information is not generally available to the public. (Note: the use and distribution of employer mailing lists to outside parties always requires prior authorization including an assessment of whether fees should be charged to cover production costs);
- Providing a forum for an individual candidate to promote his or her campaign without giving an equal opportunity to other candidates, for the same office, to participate in the forum;
- Political advocacy in the form of clothing items, armbands and buttons that cause a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment and intimidation in the workplace.

These guidelines are not intended to discourage discussion of controversial issues in the classroom, where such discussions are consistent with District curriculum guidelines and teaching methods.

This policy is not intended to limit the off-duty activities of employees where District buildings and property are made available to community groups for meetings and gatherings.

Nothing in this policy limits the rights of the District to sponsor non-partisan political forums or forums to provide information on District initiatives, such as building referendums. Nothing in this policy places restrictions on the District's freedom to invite speakers with political associations to forums that are not open to the general public.

Ref. Board Policy 522.8, Political Activities

2.2.1

2.2.5 SOLICITATION (Non-Political)

In order to help maintain a work environment that protects employees from undue interference while performing their jobs, employees may not orally solicit or distribute written materials for any organization, fund, activity or cause to other employees in work areas while either employee is on working time.

Employees: Employees may solicit other employees or distribute written materials before or after the normal work day, during normal break or lunch times or any other time when they are not working. These solicitations and literature distribution efforts are not permitted in working areas.

Non-employees: May not solicit or distribute written materials on behalf of any organization, fund, activity or cause. Solicitations for charitable organizations are exempt as long as the organization is sponsored by an employee and prior permission has been secured from management. The same restrictions regarding working time and working areas apply to non-employees.

Ref. Board Policy 522.9, Solicitation (Non-Political)

2.3 ***SAFETY, STAFF HEALTH AND MANDATORY REPORTING***

2.3.1 **SCHOOL SAFETY**

The School District of Phillips Board of Education has, as one of its prime concerns, the safety and health of students and employees of the school district. To meet this concern, the Board, through its full staff, implements a safety program. One goal of this program is to make the school facilities, buildings, and grounds safe and healthful. Thus, the safety program minimizes mechanical hazards and unsafe conditions.

Procedures for periodic safety inspections will be implemented, including regularly scheduled safety committee meetings with local law enforcement agencies. This will be one of the most important parts of the campaign to prevent accidents and promote safety in the School District of Phillips.

Minimizing mechanical hazards and unsafe conditions, however, will not prevent all accidents. Therefore, another goal of the program is to educate employees and students so they will avoid unsafe practices. This education will include periodic reviews of safety procedures in the school district.

The Board of Education supports the staff and students in their reliance on ALICE training as it relates to making the decision to place themselves in the safest possible location. Success of the program depends upon the cooperation of all students and employees in the system.

Objectives of the Safety Program

1. To avoid accidents;
2. To develop an awareness of safety-mindedness among students that will endure through their school experience and extend into their adult lives;
3. To develop an awareness of safety-mindedness among staff that will ensure a safe and healthful work environment, appropriate safety instruction, and enforcement of safe practices among students;
4. To protect school personnel against liability judgments;
5. To develop good citizenship qualities and healthy attitudes in regard to safe behavior at school, on the highway, at work, in the community, and in the home; and
6. To inform all students and employees of acceptable safety procedures.

Grievances

Review of decisions concerning workplace safety may be appealed through the grievance procedure set forth in Section 3.4.

Ref. School Board Policies 455, 720, School Safety

2.3.2 BUILDINGS AND GROUNDS SECURITY

Anyone granted the privilege of a key also accepts the responsibility of this assignment.

I. Employees of the District

A. Authorization

1. Building principals and/or supervisors at their discretion will authorize issuance of individual keys to personnel when a need is demonstrated.
2. Annually each building principal will check each individual's keys with the Key Use Authorization/Agreement Form. Once checked, keys may be reissued immediately.

B. Keys Issued

1. All keys shall be issued upon the authorization of the building principal and with a Key Use Authorization/Agreement Form signed and dated.
2. All keys will be retained in the possession of personnel to whom issued. Loan of or keeping of keys on or in desks or furniture is not acceptable.

C. Lost/Stolen Keys

1. Any person losing a key(s) should immediately notify the building principal.
2. The building principal should notify the maintenance supervisor and superintendent.
3. The replacement fee will be charged in accordance with the Key Use Authorization/Agreement Form.

II. Non-Employees of the District Authorization

- A. Building principals and superintendent may issue keys to community groups using school facilities in accordance with rules and regulations approved by the Board.
- B. Keys Issued
 - 1. Keys will only be issued to responsible adults 18 years of age or older.
 - 2. Keys will be given out one day before a weekend activity or on Friday before a weekend activity, and must be returned no later than the day after the activity. For a weekend activity, the key must be returned on the Monday following the event. Exceptions may be made by the building principal.
 - 3. Non-school personnel may not possess a building key except as provided above.
- C. Responsibility of the person to whom the key has been issued:
 - 1. Be responsible for the security of the building.
 - 2. Inspect all accessible portions of the building both before and after the group's usage.
 - 3. Be responsible for locating the telephone in case an emergency arises.
 - 4. Report any damage to the building in writing to the building principal when returning the building keys.
 - 5. Report the presence of any strangers or intruders in the building in writing to the building principal when returning the key.
 - 6. Notify the building principal of any accidental injury that occurs while on school property. An accident report must be filed within 48 hours of an accident.
 - 7. Monitor the building door when it is unlocked.
 - 8. Lock the door when a monitor is not available.

The rules listed above are in addition to those established under the Board's *Use of School Buildings and Facilities Policy*.

Ref. Board Policy 731, Buildings and Grounds Security

2.3.3 ELECTRONIC SURVEILLANCE OF PUBLIC AREAS OF SCHOOL BUILDINGS AND GROUNDS

The School District of Phillips approves the use of video cameras in school buildings and on school grounds for the purpose of maintaining a safe and orderly educational environment, for identifying disciplinary issues, for minimizing theft and vandalism, and for enforcing school policies and rules.

Video cameras may be used in any place on school premises where the public, students and staff have no reasonable expectation of privacy, such as entrances, hallways, stairwells, classrooms, cafeterias, gymnasiums, libraries, athletic fields, parking lots, and school buses. Video cameras will not be used in any area where the

public, students and staff have a reasonable expectation of privacy, such as restrooms, locker rooms, private offices and private conference/meeting rooms.

The placement of video cameras is for the purpose of assisting with issues related to discipline, safety, and security. The video cameras will not be continuously monitored except when specifically authorized by the district administrator or his/her designee and only in compliance with state or federal law. Only individuals authorized by the district administrator or the building principal may view video recordings. A log will be kept of the date and names of the individuals viewing the video recording.

Students or others found to have violated board policies or school rules are subject to discipline in accordance with established policies and procedures. Should a video recording become a part of a student disciplinary action, the recording will become a part of the student's behavioral record consistent with the district's student records policies and procedures.

If there are no reported incidents pertaining to the date a video was recorded, the recording may be overwritten after 20 school days. Video segments involving violations of the law may be viewed by the respective legal authorities under the approval of the district administrator or his/her designee.

Ref. Board Policy 731.3, Electronic Surveillance of Public Areas of School Buildings & Grounds

2.3.4 BLOOD BORNE PATHOGENS / STAFF COMMUNICABLE DISEASES / EXPOSURE CONTROL POLICY

The School District of Phillips Exposure Control Plan is designed to eliminate or minimize employee exposure to blood or other potentially infectious materials (OPIM). This plan includes an exposure determination for this workplace, the schedule and methods of implementation, and the procedure for the valuation of circumstances surrounding exposure incidents.

Any District employee may have some chance of exposure during emergency situations. It is the District policy, however, that all employees, except those in job classifications below, are prohibited from administering elements of this plan. Those employees not within a specified job classification should contact one of the employees specified for further action in the event of an incident where exposure to blood borne pathogens of OPIM may cause harm to that individual.

In emergency situations where a breakdown occurs in this system, and an employee is exposed to blood borne pathogens or OPIM, actions shall be taken in accordance with this plan.

Currently, the biology curriculum does not include blood-typing, whereby students

lance the skin to produce a drop of blood for analysis under a microscope. These employees will be included under this plan should the biology curriculum change to include blood-typing.

Exposure Determination: Below is a list of job classifications with potential occupational exposure. Specific tasks/procedures in which exposure occurs are included.

1a. Job Classification: Secretary, Bus Driver, Coach, Teacher, Aide, Administrator, School Nurse

1b. Specific tasks/procedures in which employee may have exposure:

- First aid treatment
- Cleaning up blood or OPIM spills
- Disposing of waste contaminated with blood or OPIM

2a. Job Classification: Custodian Maintenance

2b. Specific tasks/procedures in which employee may have exposure:

- Cleaning up blood or OPIM spills
- Disposing of waste contaminated with blood or OPIM

Ref. Board Policy 523.2, Blood Borne Pathogens/Staff Communicable Diseases/Exposure Control

2.3.5 WEAPONS ON SCHOOL PREMISES

No person shall possess or use a weapon on School District of Phillips premises including school buildings, district owned vehicles and school buses, athletic fields, transportation garage and applicable school forests as determined by board policy 834. The District retains the right to authorize exceptions to this policy, via administrative approval, for educational purposes such as a VFW display at a home show or Color Guard display at a Veterans Day Program.

Students who violate this policy will be subject to Board policy 443.6.

Employees who violate this policy will be subject to appropriate response by the District, including district employee discipline procedures and referral to law enforcement officials.

All other individuals who violate this policy shall be subject to appropriate response by the District, including referral to law enforcement officials.

A weapon may be defined as any object possessed or used that was designed or intended for injuring another person whether by accident or intentionally.

Ref. Board Policies 832, 834, 443.6

2.3.6 MANDATORY REPORTING

Wisconsin law requires all employees of Wisconsin public school districts to report suspected child abuse and neglect. In addition, school boards are to ensure all employees receive training provided by the Department of Public Instruction within six months of initial hiring and at least every five years thereafter. Initial training of all public school employees must occur no later than June 9, 2012, in order to comply with Wisconsin Act 81. Employees are considered to be anyone who receives an annual statement of wages for tax purposes (W-2 form) from the school district.

The School District of Phillips may select one of two methods to ensure employees complete the training requirement:

1. View the Mandatory Reporting of Child Abuse and Neglect – Training for All School Employees webcast. At the end of the webcast, participants will be able to print out a dated completion certificate to document their viewing. This webcast is available to be watched at any time and is 16 minutes in length.
2. Download the Mandatory Reporting of Child Abuse and Neglect – Training for All School Employees PowerPoint and use it to train staff in-house.

District Procedures

1. A school employee who suspects a child is neglected/abused or suspects that the child has been threatened with abuse and that abuse will occur, is required to make the report to the appropriate county agency. In emergency situations, reports should be made directly to the county sheriff or local police department.
2. The school employee will also report any suspected neglected/abused child to their building administrator, and if he/she is not available, to the superintendent.
3. The reporting employee will provide the following information: name, address, age of student, nature and extent of injuries or description of suspected neglect or abuse, and any other information that might help establish the cause of the suspected abuse/neglect.
4. Within 24 hours, the reporting employee shall complete a written report on a “454 Exhibit 1” and submit the forms to the superintendent.

Ref. Board Policy: 454 Mandatory Reporting of Child Abuse and Neglect

SECTION 3 GENERAL POLICIES

3.1 *WORKPLACE POLICIES-GENERAL*

3.1.1 EMERGENCY CLOSINGS

The Superintendent or designee shall confer with the appropriate supervisor(s) and/or area emergency management representatives to make the emergency closing determination. Upon making the decision to cancel school for instruction and/or activities or the closing of the school facilities, the Superintendent or designee shall follow the specified procedure for notification of all represented media and school district employees.

Cancellation of School for instruction and/or activities: When the decision to cancel school for instruction and/or activities is made and it is determined that the school district's facilities are to remain open, all employees (except aides, bus drivers, and cooks) are expected to report to work for the regular scheduled work day. Immediate supervisors may modify the start and end time of the work day on an individual or group basis or determine an alternative work day. The Superintendent may determine that an entire school day must be rescheduled on an alternative date in order to comply with state law or Department of Public Instruction guidelines.

Employees who do not report to work and have not secured an agreement on an alternative work day will be required to complete the employee leave request procedure and select the appropriate leave available.

Emergency Closing of School Facilities: In conjunction with local health and/or public safety authorities, the District may decide to close a work site or take other emergency measures in order to safeguard the health and welfare of employees and the public. Under such circumstances, the District may authorize paid leave status for employees.

3.1.2 HOURS OF WORK/WORK SCHEDULES/CALENDARS

Teachers: The normal teaching day for full-time teachers shall begin at 8:00 A.M. and end at 3:35 P.M.; however, if adjustments in these times are necessary at some buildings, the change will normally be made at the beginning of the semester and the earliest starting time for all teachers in the affected buildings will be 7:00 A.M., and a corresponding adjustment will be made in the P.M. ending time so that the teaching day will be the same length. If a travelling teacher works in buildings operating on different schedules, that teacher will meet the workday schedule of only one of those buildings. The normal teaching hours for part-time staff will be designated by the District.

All teachers shall receive a duty-free, uninterrupted lunch period of thirty (30) continuous minutes. This section shall not restrict the Board from making mutually-agreeable arrangements with any teacher for special services to be rendered during this period.

All educational aides, working five (5) hours or more per day shall receive a duty free one-half (½) hour lunch break near the middle of their shift.

It is expected that additional time will be spent beyond the teaching day to complete required tasks, attend mandatory meetings, meet with parents and/or students, attend school functions and/or when directed by the District. Teachers will receive no additional compensation, above their regular salary, for participating in these activities before or after the normal teaching day unless specifically provided for otherwise.

Support Staff: (*including custodians, maintenance technician, cooks, bus drivers, utility driver and mechanics*): The normal workday for a full-time employee is eight (8) hours per day, or forty (40) hours per week. A thirty (30) minute unpaid lunch break will be provided to each employee who works more than five (5) hours per day. Employees shall also be allowed a fifteen (15) minute break for each four (4) hours worked. The normal work day for part-time employees and summer workers will be designated by the District.

Administrative/Clerical/Payroll: The normal workday for a full-time employee is eight (8) hours per day, or forty (40) hours per week. A thirty (30) minute or sixty (60) minute unpaid lunch period will be provided to each employee. Employees shall also be allowed a fifteen (15) minute break for each four (4) hours worked. The workday may be flexed on a daily or weekly basis, subject to approval by the District Administrator.

School Calendar: The school calendar shall be approved by the Board and include the length and structure of the school year. The calendar will include such items as instructional days, start of quarter days, inservice days, early dismissal days, student vacation days, and graduation.

3.1.3 JOB TRANSFERS & PROMOTIONS

To permit temporary and permanent job transfers and promotions based on operational needs and based on the employee's relative ability, experience and other qualifications as determined by the District. Such transfers and promotions shall not be made arbitrarily or capriciously.

Temporary Assignments: Temporary assignments will normally not exceed thirty (30) days and employees will normally receive their regular rate of pay for the time spent in temporary assignment.

Administration shall recommend the appointment of all employees to the Board for their approval. Administration shall be responsible for the assignment and transfer of all employees.

3.1.4 JOB VACANCIES & POSTING

When the District determines that a vacancy or new position shall be filled, the District shall typically post a notice of such vacancy or new position for a minimum of five (5) working days if reasonable and appropriate to do so. The posting shall include the date the position is to be filled, title of position, requirements, and rate of pay and benefits. The District retains the right to determine whether and when to recruit outside applicants.

In most cases, all employees who meet the minimum qualifications for the position and who sign said posting will be given the opportunity to interview for the opening. All employees who interview shall be notified of selection outcome.

Administration shall recommend the appointment of all employees to the Board for their approval. Administration shall be responsible for the assignment and transfer of all employees.

3.1.5 LAYOFF

The District retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work, regardless of their previous length of employment.

Procedure: The needs of the District shall be the prime consideration used in the District's determination of which employees shall be laid off. The rehiring of employees that have been laid off shall be determined by the District based on its need for the most qualified person to perform the available work.

3.1.6 PAYROLL

Pay Periods: Paychecks are deposited, by direct deposit. Employees shall be paid bi-weekly (26 pay periods per year) on Fridays. If payroll falls on a holiday, paychecks shall be deposited, by direct deposit, the business day before the holiday.

Data Changes: Please notify the business office if any changes occur in your name, home address, telephone number(s), marital status, name or number of dependents, number of tax exemptions, insurance classification, beneficiary changes, or individuals to be contacted in case of emergency. This information is necessary as it

may affect your compensation, dependents' eligibility for medical insurance, and other important matters.

Deductions: It is the District's policy to comply with applicable wage and hour laws and regulations. If you have any questions or concerns about your salaried status or you believe that any deduction has been made from your pay that is inconsistent with your salaried status, you should immediately raise the matter with the business office who can assist you in understanding the information that is required in order to investigate the matter.

The District is committed to investigating and resolving all complaints as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed and the Employer will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

3.1.7 PERFORMANCE REVIEWS

To provide for periodic review of work performance.

Procedure: Employee work performance will be reviewed pursuant to District policy based on applicable state and/or federal law.

3.1.8 PERSONNEL FILES

Reasonable access to personnel records will be authorized in accordance with public records laws and regulations. Any/all personal medical information will be secured in an area separate from the personnel record, with strictly controlled and limited access, in order to protect confidentiality.

Procedure: Employees, and other authorized viewers of records, shall have the authority to review and copy, but not remove or alter, personnel records. If an employee disagrees with any information in his/her personnel file, the employee may submit a written statement explaining his/her position which shall be included in the file.

3.1.9 SUPPORT STAFF SUPERVISION

1. The Administrator shall supervise, evaluate, and direct the scheduling of their office clerical staff, IMC aides, custodial staff (including pool), and coaching staff.

2. The Superintendent shall supervise, evaluate, and direct the scheduling of the District secretary, IT staff, food service director, aquatic director, transportation staff, and maintenance technician.

3.1.10 WEDNESDAY NIGHT SCHOOL ACTIVITY RESTRICTIONS

All School District of Phillips sponsored activities are restricted in the following manner:

1. There shall be no "after-school" activities for elementary and middle school students on Wednesdays.
2. At the high school, all school sponsored activities shall be culminated so that students have exited the building by 6:30 PM on Wednesday evenings.
3. In certain limited circumstances, the Superintendent may waive and/or adjust the above restrictions.

Ref. Board Policy: 379.1/881.3 Wednesday Night School Activity Restrictions

3.1.11 RESTRICTION OF DISTRICT-SPONSORED ACTIVITIES ON SUNDAY

The Board of Education of the School District of Phillips believes that District sponsored function play a valuable role in the development of our youth. However, when such functions inhibit and/or interfere with family and non-school activities, a detrimental situation can arise. The Board desires to avoid such conflicts which inhibit family and non-school activities.

To that end, it is the policy of the School District of Phillips that, with certain limited exceptions individually approved by the Superintendent, there will be no scheduled school-sponsored activities on Sundays. Exceptions will be limited to unique, typically one-time occurrences wherein utilization of other days of the week would be impractical or impossible.

Ref. Board Policy 379.2 Restrictions of District Sponsored Activities on Sunday

3.2 DISCIPLINE

Disciplinary action against employees may be taken for violations of standards of conduct, violations of policies and procedures, or for unsatisfactory work performance. Disciplinary action will typically be taken after an investigation and after giving the employee an opportunity to respond to any and all allegations.

Level of Discipline: The level of discipline imposed will take into consideration the seriousness of the infraction as well as the employee's performance record. When appropriate, discipline should be corrective in nature. At the employer's sole discretion, various types of employee discipline or corrective action may be imposed which include, but are not limited to, the following: verbal warning, written warning, suspension or termination. Employee discipline for purposes of access to the grievance procedure, is defined to include only termination, disciplinary suspensions and disciplinary demotions. None of these disciplinary measures are required to be used before termination from employment occurs nor are the listed disciplinary actions required to be used in any specific order. The District may repeat disciplinary action.

Employees are expected to work in a competent and conscientious manner which reflects favorably upon the employee and the District. The following is a list of examples of behavior which would normally justify disciplinary action.

- Fraud in securing employment
- Incompetency
- Inefficiency
- Unauthorized absences
- Repeated absence or tardiness or improper use of leave
- Neglect of duty
- Insubordination or willful misconduct
- Dishonesty
- Assuming duties while under the influence of controlled substances or intoxicants; or possession of use of intoxicants or controlled substances during working hours
- Conviction of a felony or misdemeanor, the circumstances of which are substantially related to the duties performed
- Negligence or willful damage to property
- Discourteous treatment of the public or fellow employees
- Failure to obtain and maintain a current license or certification as required by law or employer
- Failure to maintain effective working relationships with other employees or the public

- Sexual or other unlawful harassment
- Workplace violence
- Violation of any lawful order, directive, policy, or work rule

The offenses listed above are not intended to be all-inclusive, and discipline, including termination, may occur for any other reason depending upon the seriousness of the offense, the particular facts and circumstances surrounding the incident(s), and the employee's record of prior disciplinary actions.

Documentation: All discipline shall be documented with a copy provided to the employee and a copy placed in the employee's personnel file.

3.3 SEPARATION FROM EMPLOYMENT

Termination: Employment may be terminated upon a majority vote of the full membership of the Board of Education. In such cases, the Board shall abide by its applicable policies and such terms as may be set forth in an individual contract.

Resignation: A professional staff member may resign in accordance with the terms of his/her individual contract.

An administrator may resign by filing a written resignation with the District Administrator.

A support staff member may resign by filing a written resignation with the District Administrator.

The District Administrator may act for the Board in the acceptance of a resignation.

Employees who terminate their employment with at least ten (10) working days written notice will not be allowed to use any earned vacation, personal time or discretionary holiday pay once received by the District Administrator. If an employee has overused the holiday, sick, or vacation time earned, the employee will have an amount equal to the value of that overused leave withheld from his or her last paycheck. The District's obligation to pay its share of the employee's insurance benefits will terminate at the end of the month in which the employee works his/her last day.

3.3.1 LIQUIDATED DAMAGES

The District encourages employees to notify the District as soon as possible regarding contract release. A teacher who breaches his/her contract shall be required to pay liquidated damages as follows:

- From the time they sign next year's contract until June 30th no liquidated damages shall be forfeited;
- After July 1st, but before August 1st - 1% of the base;
- After August 1st, but before the teacher's first day to report for the contract year - 2% of the base;
- After the teacher's first day reporting for the contract year – 4% of the base.

No teacher shall be released to sign a contract with another school district until the liquidated damages have been paid. The Board may deduct such damages from any paychecks still due and payable to the teacher and/or may waive such payments at its sole discretion.

Any release granted by the Board shall be effective on the 30th calendar day following receipt by the Board of the written request for release. The Board has sole discretion to waive part or all liquidated damages.

3.3.2 STANDARD FOR NONRENEWAL FOR TEACHERS

Teachers employed in the District are subject to nonrenewal on a statutory basis, as prescribed in Wis. Stat. §118.22. Such nonrenewals shall be exclusively subject to the provisions of Wis. Stat. §118.22 and are not covered by the grievance procedure set forth in the *Grievance Procedure* section of this Handbook.

3.3.3 STANDARD FOR TEACHER DISCIPLINE AND TERMINATION

A teacher may be terminated during the contract year for "cause." Discipline or termination during the contract year is subject to the grievance procedure set forth in the *Grievance Procedure* section of this Handbook.

3.3.4 STANDARD FOR OTHER EMPLOYEE DISCIPLINE AND TERMINATION

Unless otherwise provided by state statute, all other employees are “at-will” and may be discharged by the District at any time with no notice or reason and the employee may quit at any time with no notice or reason.

3.4 GRIEVANCE PROCEDURE

POLICY: To provide a timely and orderly review of decisions concerning:
a) employee terminations; b) employee discipline; and c) workplace safety.

- I. Purpose and Applicability:** This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination, or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Board of Education, where appropriate. The District expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the grievance procedure.

If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable. This procedure does not replace or supersede any statutory provision which may be applicable to an employee’s employment with the District. Any grievance, or part of a grievance, that is subject to the jurisdiction of a different governmental body or Wisconsin statute, or subject to a different dispute resolution process, is excluded from this grievance procedure. This grievance procedure does not create a legally binding contract or a contract of employment.

II. Definitions

A. Definition of “Employee”:

1. For purposes of discipline and termination under this grievance procedure, an employee shall be defined to include regular full-time, part-time, and limited term employees. All other individuals employed by the District, such as casual employees, temporary employees, and short-term substitutes as well as independent contractors, are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them.
2. For purposes of workplace safety under this grievance procedure, an employee shall be defined to include regular full-time, part-time, limited term, casual, and temporary employees. All other individuals employed by the District are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them.

- B. Definition of “Discipline”:** For purposes of this procedure, “discipline” means an employment action that results in a disciplinary suspension or disciplinary demotion. “Discipline” for purposes of access to this grievance procedure does not include any written or verbal notices, warnings, reprimands, or reminders; verbal disciplines will be documented, but is not subject to the grievance procedure. The purpose of written and verbal notices, warnings, reprimands, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, without pay, disciplinary termination, or disciplinary demotion.
- C. Definition of “Termination”:** For purposes of this procedure, “termination” means a separation from employment by the employer for disciplinary or quality of performance reasons. “Termination” does not include layoff, reduction in workday, furlough, non-renewal, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment, which are not subject to the grievance procedure.
- D. Definition of “Workplace Safety”:** For purposes of this procedure, “workplace safety” includes any conditions of employment related to the physical health and safety of employees, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, and accident risks. “Workplace Safety” does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, assignments and work schedules.

III. General Provisions

- A. Role and Appointment of “Impartial Hearing Officer”:** For purposes of this procedure, the role of the “Impartial Hearing Officer” will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties’ respective arguments. The Impartial Hearing Officer shall be appointed by District Administrator based upon the nature of the matter in dispute.
- B. Time Limits:** Failure to submit or process a grievance by the employee within the time limits specified below, or agreed upon extensions, shall constitute waiver of the grievance and it will be considered resolved on the basis of the District’s last answer. Failure of a District representative to meet the time limits specified below shall cause the grievance to move automatically to the next step in the procedure within seven (7) days of such failure. A grievance or decision or appeal is considered timely if received by the employer during normal business hours or if postmarked by 12:00 midnight on the due date. The time limits contained in this procedure are to be strictly observed and can only be extended upon the express written consent of the parties.
- C. Days:** The term “days” as used in this provision means calendar days, excluding holidays as defined in the Handbook. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday, or holiday as defined in the Handbook, the time limit is the next day which is not a Saturday, Sunday, or holiday.

D. Scheduling: Grievance meetings and hearings will typically be held during the employee's off-duty hours. Time spent in grievance meetings and hearings shall not be considered as compensable work time.

E. Representation: The employee shall have the right to representation during the grievance procedure at the employee's expense.

IV. Procedure for Grievances Concerning Employee Terminations and Employee Discipline:

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

Step 1: An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee's immediate supervisor. If the grievance is not resolved informally, then it shall be reduced to writing by the employee who shall submit it to the employee's immediate supervisor within fourteen (14) days after the facts upon which the grievance is based first became known, or should have become known, to the employee.

The written grievance shall give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.

The supervisor will reply in writing to the employee within fourteen (14) days after receipt of the written grievance.

Step 2: If the grievance is not settled in Step 1, and the employee wishes to appeal the decision of the supervisor, the employee shall submit the written grievance to the District Administrator or designee within seven (7) days after receipt of the supervisor's written answer to request a hearing before an Impartial Hearing Officer. The Impartial Hearing Officer will be appointed by the District Administrator or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. At the conclusion of the hearing, the Impartial Hearing Officer shall render a written decision indicating the reasons for one of four decisions: 1) Sustaining the discipline/termination, 2) Modifying the discipline/termination, 3) Denying the discipline/termination, or 4) Recommending additional investigation prior to final determination. The Impartial Hearing Officer shall issue the written decision to the employee and employer within thirty (30) calendar days from the date of the hearing or submittal of post-hearing briefs. In cases where the Impartial Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing shall be scheduled. The Impartial Hearing Officer

may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

Step 3: The employer or employee may appeal the decision of the Impartial Hearing Officer to the Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

Level of Review: The role of the Board of Education, in reviewing the decision of the Impartial Hearing Officer, is to solely address the following questions:

1. Did the Impartial Hearing Officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the Impartial Hearing Officer?
3. Did the Impartial Hearing Officer make an error of law which makes his/her award invalid?
4. Did the Impartial Hearing Officer make an error of fact which makes his/her award invalid?

After answering the above questions, the Board of Education will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Board will issue its written decision within sixty (60) days from receipt of the appeal.

V. Procedure for Grievances Concerning Employee Workplace Safety:

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

Step 1: Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her immediate supervisor of the issue or incident as soon as reasonably practicable. All workplace safety issues and incidents, no matter how insignificant the situation may appear to be, must be reported by an employee to their immediate supervisor within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

A written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be submitted to the Building Principal for review and consideration within seven (7) days of the incident or issue.

Step 2: After receipt of the written report, the Building Principal or designee will conduct additional investigation, as required, and normally issue a final report on its findings and conclusions within thirty (30) days of receipt of the written report. Copies of the report will be given to the persons who signed the written report as well as to the District Administrator or designee.

Step 3: The employee may appeal the findings and conclusions of the Building Principal and request the appointment of an Impartial Hearing Officer within seven (7) days after receipt of the Building Principal's report. The Impartial Hearing Officer will be appointed by the District Administrator or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. At the conclusion of the hearing, the Impartial Hearing Officer shall render a written decision indicating one of three outcomes: 1) Sustaining the conclusions of the Building Principal, 2) Denying the conclusions of the Building Principal and ordering additional or alternative remedial measures, or 3) Recommending additional investigation prior to final determination. The Impartial Hearing Officer shall issue the written decision to the employee and employer within thirty (30) calendar days from the date of the hearing or submittal of post-hearing briefs. In cases where the Impartial Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing shall be scheduled. The Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

Step 4: The employer or employee may appeal the decision of the Impartial Hearing Officer to the Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

Level of Review: The role of the Board of Education, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the Impartial Hearing Officer?
3. Did the Impartial Hearing Officer make an error of law which makes his/her award invalid?
4. Did the Impartial Hearing Officer make an error of fact which makes his/her award invalid?

After answering the above questions, the Board of Education will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Board will issue its written decision within sixty (60) days from receipt of the appeal.

Ref. Board Policy 527 Grievance Procedures

SECTION 4 EMPLOYEE BENEFITS APPLICABLE TO ALL EMPLOYEES

4.1 *FRINGE BENEFITS*

The policies in this section apply to all regular full-time and part-time employees. Proration shall occur where applicable. Any change in benefit level based on years of service shall occur on July 1 of the year proceeding (after) the employee's anniversary date.

Individuals hired for limited term employment are not eligible for these benefits. Benefits are prorated on normal scheduled hours of employment.

4.2 *JURY DUTY – WAGE PAYMENT*

If it becomes necessary for an employee to serve jury duty, the District shall pay that employee the difference between his/her daily wage and the amount paid for the jury duty. There shall be no restriction upon the number of days for which the wage may be paid as long as the days of jury duty are verified by the clerk of court or another court official.

Ref. Board Policy 529.1, Jury Duty-Wage Payment

4.3 *403(b) TAX SHELTERED ANNUITY PLAN*

It is the policy of the Phillips School District (the "District") to offer its employees the opportunity to defer amounts to a plan qualified under §403(b) of the Internal Revenue Code of 1986 (IRC), as now in effect or as hereafter amended. To carry out this policy, the District Administrator or Designee shall establish any necessary procedures to serve the interests of the District and its employees, as well as to remain in compliance with all applicable federal and state laws. The policy of the District will require any vendor approved by the District to receive contributions through the District's 403(b) Plan to certify that it will comply with the requirements of IRC §403(b), federal regulations, the terms of the District's 403(b) Plan document, and will execute an agreement with the District. In the absence of such a certification, such vendor shall not be permitted to serve as a recipient of contributions.

Ref. Board Policy 529.2, 403(b) Tax Sheltered Annuity Plan

4.4 *EMPLOYEE ASSISTANCE PROGRAM*

A. Introduction:

Recognizing that employees and their families can develop personal problems that may jeopardize their health, family structure, or employment, the School District of Phillips has established an Employee Assistance Program (EAP) to help employees and their family members receive timely assistance to overcome such problems.

Employees may seek help on their own initiative or supervisors may ask employees to obtain assistance because of job performance problems. To seek assistance, employees may contact the District EAP Coordinator or any other District employee who has been trained as a Resource Coordinator. An employee may, on his or her own, contact the appropriate community resource service.

B. Employee Assistance Policy

The School District of Phillips as a matter of policy regarding the operation and use of the EAP:

1. Views as remediable personal problems, difficulties in daily living, alcoholism and other drug dependencies and/or abuse, marital or family distress, emotional distress, impact of disability and chronic disease on individuals and families, family violence, separation, divorce and others.
2. Encourages early identification of such problems and use of appropriate resources in the community.
3. Operates this program in compliance with federal regulations regarding confidentiality.
4. Assures that employees' job security or promotional opportunities are not jeopardized solely because they seek such assistance or because they refuse to seek it.
5. Offers the services of the program to the employees and their immediate family members.
6. Keeps employees and their families aware of the program.

C. Program Description

An informal network of staff who help other staff with personal problems already exists among employees. Some of these staff members, most recommended by their peers, have been or will be recruited to serve voluntarily as Resource Coordinators.

Staff selected to serve as Resource Coordinators represent a cross-section of position levels and types employed by the School District of Phillips. They are formally designated and specially trained to help co-workers confidentially obtain help to resolve personal problems.

The EAP and the Resource Coordinator facilitate only and there is no charge for their

services. Employees or family members are responsible for any payment required for services provided by community resources. A number of services may be covered in whole, or in part, under the employees' health insurance program.

The Employee Assistance Coordinator has the responsibility to implement and sustain the Employee Assistance program throughout the School District.

D. Referral Process:

1. Self-Referral:

Employees with personal problems are encouraged to seek assistance on their own initiative before health or job performance are adversely affected. Employees can discuss their difficulties, on a confidential basis, with any one or the Resource Coordinators.

If a specific problem is identified, a Resource Coordinator may suggest community resources that provide services for that type of problem. If no specific problem is identified, the Resource coordinator may suggest use of the Counseling and Personal Development Center, Inc. for a broad-brush assessment. Coordinators can help employees arrange to obtain services from community resources. They also will follow-up with employees to make certain they gain access to the services.

2. Supervisory Referral:

Supervisors continually monitor employee job performance. When a job performance problem is identified, the Supervisor will follow a corrective and/or disciplinary process as outlined in the Employee Handbook or in applicable labor agreements. The Supervisor may remind the employee of the availability of the EAP and encourage the employee to contact a Resource coordinator. The purpose of this contact would be to determine the need for EAP services. At the discretion of the District, the contact may be offered as an alternative to corrective action and/or discipline, although it does not prevent supervisors from taking appropriate disciplinary action in dealing with performance problems. Use of the EAP may prevent further deterioration in job performance and additional disciplinary action.

E. Goals of an Employee Assistance Program

School District of Phillips has initiated an Employee Assistance Program with the following goals established:

1. To encourage the earliest possible diagnosis, treatment and other appropriate help in all situations where employee well-being, health and/or job performance have been affected.

2. To coordinate in-house and community-helping services so that, when possible, employees seeking help can benefit from the best combination of appropriate helping and therapeutic services.
3. To help employees attain and/or maintain their full potential on the job.
4. To reduce the economic costs to the employer and to the employee of persistent personal problems.
5. To add to the constructive options that management, labor, and employee services have in addressing job performance, health, and safety in the work place.
6. To improve overall labor and management relations in the area of employee personal problems.

The program will seek to achieve these goals in a manner compatible with School District objectives, policies, and procedures and will utilize existing community resources as much as possible. The privacy and rights of the employees will be protected in accordance with the law.

Ref. Board Policy 523.3, Employee Assistance Program

4.5 FAMILY & MEDICAL LEAVE – STATE/FEDERAL

Eligible employees may qualify for unpaid leave under Wisconsin’s Family and Medical Law (WFMLA) (§103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act of 1993 (FMLA) (P.L. 103-3). Employee rights posters for both laws are in the workplace for reference by all employees. When an employee is eligible to receive benefits under both laws, the employee is eligible to receive the more generous provision. However, employees may not combine benefits from both laws in such a manner that the employee would realize greater benefits than those provided by each law on its own.

Any employee who has worked for more than 52 weeks (for a minimum of 1,000 hours) is eligible for unpaid leave under Wisconsin’s Family and Medical Leave Act. However, the employee may substitute definite and quantifiable paid leave benefits for unpaid leaves under the state law (i.e., paid vacation).

4.5.1 WFMLA

The amount of unpaid leave pursuant to Wisconsin’s law is presently as follows:

A. Family Leave

1. Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than 16 weeks before

estimated placement and no later than 16 weeks after birth date or placement of the child.

2. Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, parent or parent-in-law, domestic partner or domestic partner's parent who has a serious health condition.

Total maximum time for #1 and #2 is eight (8) weeks per twelve (12) month period.

B. Medical Leave

1. A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

(NOTE: "Serious health condition" means a disabling physical or mental illness, injury, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.)

4.5.2 FMLA

Any employee who has worked for more than 12 months (for a minimum of 1,250 hours) is eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993. However, an employee may substitute definite and certain paid leave benefits for unpaid leave provided by the federal law in the following situations:

1. For the birth or adoption of a child an employee may substitute accrued vacation or personal leave as a paid benefit.
2. For family leave an employee may substitute accrued vacation, personal, or emergency leave as a paid benefit; and,
3. For personal medical leave an employee may substitute accrued vacation, personal or medical/sick leave as a paid benefit.

The federal law provides 12 weeks of unpaid leave during a 12-month period for any covered purpose, which are:

- A. The birth and first year care of a child or a child who has been placed with the employee for adoption or foster care.
- B. To care for a child, spouse or parent who is suffering from a serious health condition.

- C. For a serious health condition of the employee that makes the employee unable to perform his or her job duties.
- D. Because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active duty as a member of the Armed Forces, National Guard, or Reserves.

The federal law also provides for 26 weeks of unpaid leave during a single 12-month period in the case of covered service member caregiver leave because the employee is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness. This 12-month period begins on the first day the eligible employee takes leave for this purpose.

(NOTE: "Serious health condition" means an illness, injury, impairment, or physical/mental condition that requires inpatient care in a hospital, hospice, or residential medical care facility; or requiring continuing treatment by a health care provider.)

4.5.3 INTERMITTENT LEAVE

Under some circumstances, employees may take WFMLA or FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer for any other type of leave.

- a. Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees;
- b. State family leave for birth/placement or care of a child, spouse, parent or parent-in-law with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the employer's operations.
- c. Federal leave based on a serious health condition of an employee, employee's child, spouse or parent may only be taken intermittently or on a reduced-leave schedule when medically necessary, unless the employer agrees otherwise.
- d. Federal leave due to a qualifying exigency may be taken on an intermittent basis as needed.
- e. State medical leave for self may be taken in non-continuous increments as medically necessary.
- f. Leaves will be granted in hourly increments or less as may be specified in policies or labor agreements. If it is physically impossible for an employee using intermittent leave to commence or end work midway through a shift, the entire time the employee is forced to be absent shall be designated as FMLA leave.

- g. Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the employer with reasonable advance notice.

4.5.4 BENEFITS

An employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. *If applicable, in addition to paying their portion of health insurance premiums, employees shall be required to pay the full cost of continuing their [life insurance, disability insurance, etc.] during leave. If an employee fails to return to work for a reason other than the serious health condition of the employee or the employee's immediate family member, or other reason beyond the employee's control, the employee will be required to reimburse the employer for the employee's cost of these benefits while the employee was on unpaid leave.*

4.5.5 NOTICE

Both laws provide that the employee requesting family and medical leave has an obligation to provide reasonable advance notice to management, when practicable, of the nature and extent of any leave requested. In any event, employees will always have a duty to cooperate with management in arranging and processing leave requests under the state and federal laws. The employer requests that 30 days advance notice be provided whenever possible.

To receive WFMLA/FMLA leave, an employee must complete a leave request form. If an employee is unable to do so because the need for leave was not foreseeable, a request may be made verbally. Supervisors are not to discuss medical conditions or leave requests with employees, but are to forward them to district administrator or designee who shall evaluate the request and provide a response to the employee approving or denying the request and providing the employee with a "Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)" and a "Designation Notice (Family and Medical Leave Act)" within five (5) business days, absent extenuating circumstances, of the employee's request. If the district administrator or designee needs additional information to determine whether a leave is being taken for an FMLA-qualifying reason, the district administrator or designee may wait until they have received the requested information from the employee and then notify the employee whether the leave will be designated as FMLA leave with the "Designation Notice" within five (5) business days, absent extenuating circumstances, after obtaining the information.

4.5.6 MEDICAL CERTIFICATION

The District may require employees to provide medical certification supporting the need for leave due to a serious health condition, second or third medical opinions (at the District's expense) and periodic recertification, and periodic reports during WFMLA/FMLA leave regarding the employee's status and intent to return to work. A medical certification form must be presented by the employee within fifteen (15) days of being asked to do so by the employer. A return to work form from a physician will, in most cases, be required in the case of an employee's serious illness, injury, work-related injury (worker's compensation) or illness which has caused a prolonged absence from work, or if the employee's supervisor reasonably determines for the sake of safety that a medical authorization is advisable.

The District may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. The employer may require an employee seeking FMLA leave due to a serious injury or illness of a covered service member to submit a certification providing sufficient facts to support the request for leave.

4.5.7 UPON RETURN TO WORK

Upon return from WFMLA/FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. WFMLA/FMLA leaves shall not be counted as absences for disciplinary purposes.

4.5.8 CONFORM WITH EXISTING LAWS

This policy does not provide any greater benefits than those provided by the family and medical leave laws. Any change in the law will impact upon the operation of this policy by modifying its provisions to conform with the law.

Ref. Board Policy 523.6, Family & Medical Leave-State/Federal

4.6 MEDICAL AND DENTAL INSURANCE

There shall be no cash payments in lieu of insurance.

Effective July 1, 2013, the District's contribution toward single or family medical insurance premiums will be 80% for full-time employees and 60% for a family plan for less than full-time employees. Health insurance plan design is determined by the District and may include a health reimbursement account ("HRA"). Effective July 1, 2013, the District contributions toward single or family dental insurance will be 80% for full-time employees and 60% for a family plan for less than full-time employees.

The District contribution to employee medical and/or dental insurance will be prorated based on the base annual days of employment, and base hours per week. The full District contribution will be allowed for twelve-month (260 days) employees scheduled for at least 30 hours per week and for all full-time contractual teaching and professional staff.

Beginning September 1, 2019, employees who work less than 30-hours per week, will be offered single insurance coverage with the district paying 80% of the premium. Current employees and current recruits will be grandfathered in to previous Handbook language.

4.7 *DISABILITY INSURANCE*

The District will provide disability insurance for all employees who work more than 600 hours per year. The District will pay for the cost of this coverage. The plan shall provide for income continuation of up to 66 2/3% of an employee's annual salary.

4.8 *LIFE INSURANCE*

The District will provide life insurance for all employees who work at least 15 hours per week on a regular basis. Employees will have the option to purchase additional life insurance beyond what is provided by the District.

4.9 *EMPLOYEE TRUST FUNDS (ETF)/WISCONSIN RETIREMENT SYSTEM (WRS)*

The District will contribute the employer portion of the required contributions toward the Wisconsin Retirement System (WRS) as determined by the Employee Trust Funds Board.

Each employee shall be required to contribute an amount equal to one-half of all required contributions towards the Wisconsin Retirement System (WRS) as determined by the Employee Trust Funds Board.

4.10 *PAID LEAVE PROVISIONS*

4.10.1 PAID TIME OFF

All 9 and 10-month employees shall receive 11 paid leave days per year, 11-month employees shall receive 12 paid leave days per year, and 12-month employees shall receive 13 paid leave days per year. All are cumulative to 62 days. Paid time off can be used for the employee's illness, the illness of an immediate family member or for medical or dental appointments. Paid time off can also be used for legal business or household matters which require absence during working hours. Also, two of the annually accrued days will be deemed personal days. In all cases other than illness, application to the employee's immediate supervisor shall be made at least two days before taking such leaves (except in the case of emergencies).

An employee's supervisor may require verification of illness to be submitted at the supervisor's discretion in cases of suspected PTO abuse, but typically such verification will not be required for absences of less than three consecutive work days.

An employee who is increasing or decreasing their number of work hours shall have their accumulated paid leave days adjusted to reflect the new workday that they are working.

If a teacher is teaching summer or evening school for the District, paid leave shall be assigned as follows:

FOR FULL-DAY TEACHING ASSIGNMENTS

4 weeks taught-1 paid leave day

5-8 weeks taught-2 paid leave days

FOR HALF-DAY TEACHING ASSIGNMENTS

4 weeks taught-1/2 paid leave day

5-8 weeks taught-1 paid leave day

4.10.2 BEREAVEMENT

In the event of the death of a member of an employee's immediate family, employees who are scheduled to work will be granted consecutive days of paid leave in order to make necessary funeral arrangements, family decisions related to the deceased and/or attend the funeral. For purposes of this provision, "immediate family" shall be defined as including husband, wife, father, mother, child, sister, brother, grandparents, grandchild of employee or spouse-including step and in-law or any other member of the family unit living in the same household.

Bereavement leave is not deducted from current or accrued PTO days. The following guideline will be applied to all employees:

All employees expected to work 186 or more full days receive four (4) bereavement days per event.

All employees who are less than full time will receive two (2) bereavement days per event.

The Employer recognizes that "immediate family" may not recognize people whom we care deeply about. In these instances, other forms of paid or unpaid leave may be available for use. Please see your supervisor to discuss any requests.

4.10.3 MEDICAL LEAVE OF ABSENCE

1. The employee is required to notify the Superintendent or designee in writing as soon as they are aware of a medical condition which will require absence from work any time in the future.
2. The employee must provide a statement indicating that they plan to return to work at the end of this period of medical disability.
3. Paid time off will be provided the employee, not to exceed the number of paid leave days accumulated, during the time a physician certifies that the employee remains at home for reasons of the employee's health.
4. The above provisions shall apply to maternity leave.

4.10.4 SEVERANCE/PAID TIME OFF (PTO) LEAVE PAYOUT

Employees will be paid for accumulated paid leave days upon resignation or retirement according to the following conditions:

1. To receive severance/PTO payout upon resignation, a 30 day notice prior to the effective date of the resignation must be made to the administration in writing by the employee, unless agreed to by both parties.
2. Employees who are terminated for cause are not eligible for PTO payout.
3. One hundred percent (100%) of unused PTO, may count towards paid leave payout.
4. PTO payout may be collected only if the employee leaves after a minimum of ten (10) years of continuous service with the District as a regular full-time or regular part-time employee.
5. Each PTO payout day accumulated will be paid out at a rate of 25% of daily rate for support staff.
6. In case of the death of an employee who has accumulated PTO, the benefit would be paid to their surviving spouse or estate

4.11 UNPAID LEAVE PROVISIONS

- 4.11.1 In the event an employee has exhausted all available leave options, said employee may request unpaid leave. Unpaid leave requests must be in writing and will be granted at the discretion of the Superintendent and the availability of a suitable substitute. All unpaid leave will require the employee to reimburse the District the

prorated portion of all benefits accrued by the employee during the unpaid leave portion of the employees contracted days of employment. The District office will calculate the cost of maintaining benefits pertaining to the unpaid leave request in advance of the request if submitted two days prior to the start of the leave. The district payroll clerk will schedule the payroll deduction of the prorated portion to be executed on the first payroll after the utilization of the unpaid leave days. The employee may request to have the balance of the payroll reduction amount spread out over remaining pay periods, however, the payroll reduction must be accounted for within the fiscal year the unpaid leave was taken.

SECTION 5 EMPLOYEE BENEFITS-PROFESSIONAL STAFF

5.1 *CERTIFIED PERSONNEL*

5.1.1 QUALIFICATIONS

An applicant to teach or hold any position requiring Department of Public Instruction (DPI) certification in any of the schools within the School District of Phillips must have satisfied the requirements of the DPI and hold a certificate from the Department showing acceptance for the position sought.

5.1.2 APPOINTMENT

The Superintendent of Schools shall interview and nominate to the Board qualified persons for appointment to positions which are vacant or created.

5.1.3 ASSIGNMENT OR TRANSFER

The Superintendent of Schools, with the aid of his supervisory staff, shall assign and transfer all instructional and non-instructional personnel. He/she shall make recommendations to the board for the promotion or dismissal of any instructional or non-instructional personnel.

Ref. Board Policy 531, Certified Personnel

5.2 *SUBSTITUTE TEACHERS*

5.2.1 QUALIFICATIONS-CHOOSING SUBSTITUTE TEACHERS

In seeking substitute teachers it is the policy of the Board of Education that preference be given those individuals whose qualifications and credentials are at least equal to the requirements for regular teachers. Rules and regulations for performance of duties of substitute teachers shall be prescribed by the Superintendent of Schools in conjunction with building principals.

Ref. Board Policy 534.1 Qualifications – Choosing Substitute Teachers

5.2.2 SUBSTITUTE TEACHER PAY

For all substitute teaching on a daily basis, the pay rate as set by the Board of Education shall apply.

A substitute teacher who works more than 10 consecutive days within the District, but in more than one assignment is not eligible for the long-term rate. In this case the daily sub rate applies.

Ref. Board Policy 534.2 Substitute Teacher Pay

5.2.3 LONG-TERM SUBSTITUTE TEACHER PAY

A long term substitute teacher is a teacher who stays in the same teaching position for at least ten consecutive work days up through a full academic year. Long term substitute teachers shall be paid at the daily rate of the base salary of the teacher's schedule (base salary/no. of contract days – daily rate for long term substitute).

Sick leave shall be granted if the term exceeds nine weeks for which school is held for at least one day in each week at the rate of one day of sick leave granted per month.

Determining when the long-term rate applies:

1. A substitute teacher who fills a posted long-term position will be paid the long-term rate from the first day of the assignment.
2. A substitute teacher who fills a position on a temporary basis that reaches 10 consecutive days in the same position will be paid the long-term rate starting on the 10th day of the assignment.

Ref. Board Policy 534.3 Long-Term Substitute Teacher Pay

5.3 *INSERVICE*

Long-range and annual inservice plans shall be developed according to the following procedures:

1. The Superintendent, working with other administrative and teaching personnel, shall prepare a study of needed and necessary areas for educational improvement within the District.
2. The needs shall be ranked on a priority basis with terminal and continuous areas identified, and then presented to the School Board for consideration.
3. The inservice committee, working with the Superintendent, shall plan each annual inservice program, specifying the goals to be achieved, the means of attaining the goals, and the evaluative procedures to be used.
4. The inservice program shall include plans to meet the needs of the District (K-12), the needs by individual buildings, and the needs of individual staff members.
5. An annual report of inservice programs and progress shall be made to the Board of Education.

Ref. Board Policy 537 Inservice

5.4 NATIONAL CONVENTION ATTENDANCE

Upon occasion, teachers individually request permission to attend national conferences or conventions in their subject matter field.

It shall be the policy of the Board of Education that such requests shall be processed through the Administration. The following regulations shall apply:

1. The board may limit the number of approvals granted in any one year. However, special requests to accompany students to national conferences can be approved by administration.
2. The application shall be in writing and shall set forth the educational benefits to be gained by attendance.
3. The applicant, after being granted approval and after attending the national conference or convention, shall report orally to the Administration and their teaching staff regarding the educational benefit of attendance.

Ref. Board Policy 539.3 National Convention Attendance

SECTION 6 EMPLOYEE BENEFITS-SUPPORT STAFF

6.1 *FRINGE BENEFITS*

The policies in this section apply to all regular full-time and part-time support staff employees. Proration shall occur where applicable. Any change in benefit level based on years of service shall occur on July 1 of the year proceeding (after) the employee's anniversary date.

Individuals hired for limited term employment are not eligible for these benefits. Benefits are prorated on normal scheduled hours of employment.

Ref. Board Policy 542.2 Fringe Benefits

6.2 *PAID VACATIONS*

All nine (9) month employees: None.

All full-time twelve (12) month employees as follows:

- Less than two (2) years of service: Five (5) days vacation awarded on the first day of hire (One (1) day vacation for each two (2) months worked, not to exceed five (5) working days.)
- Two (2) to ten (10) years service: Two (2) weeks vacation.
- Ten (10) to fourteen (14) years service: Three (3) weeks vacation.
- Beyond fifteen (15) years of service: Four (4) weeks vacation.

No vacation carry forward will be allowed.

Vacations shall be taken in the year in which vacation is earned, between July 1st and June 30th except upon prior arrangement with the supervisor.

Ref. Board Policy 542.4 Paid Vacations

6.3 *PAID HOLIDAYS*

9-month employees shall have four paid holidays – Labor Day, Thanksgiving, Christmas, and Good Friday – and 12-month employees ten paid holidays, including Memorial Day, Labor Day, Thanksgiving, Friday following Thanksgiving, Christmas Eve, Christmas, New Years, Good Friday, the Fourth of July, and one discretionary holiday. Employees over 9 months but less than 12 months, will receive a prorated paid holiday amount. In order to qualify for holiday pay, both 9-month and 12-month employees on an hourly rate must be present on their regularly scheduled workday preceding and following the paid holiday, unless a scheduled vacation is taken or a doctor's certificate verifies illness or funeral leave is used. Employees will be paid on the basis of their regular daily rate for the week of the holiday.

Ref. Board Policy 542.5 Paid Holidays

6.4 OVERTIME PAY AND COMP-TIME FOR SUPPORT STAFF

Overtime shall be paid at one and one-half (1 ½) times the employee's hourly rate for any hours worked in excess of forty (40) hours per week. Also included as time worked when calculating overtime are vacation and paid holidays. All overtime must have prior administrative approval, except in emergency situations.

In lieu of overtime pay (hours worked beyond a normal 40 hour week – the week is defined as beginning on Sunday and ending at the end of the day on Saturday), non-union employees may request “comp time” from their immediate supervisor, who will determine approval. Comp time accumulated during a fiscal year (July 1 – June 30) can be used up to August 1 following the fiscal year. Any comp time remaining shall be paid at time and a half. Employees are limited to 40 hours of comp time within a fiscal year, unless approved by the supervisor.

Ref. Board Policy 542.6 Overtime Pay and Comp-time for Support Staff

6.5 SUPPORT STAFF RECRUITING/HIRING

The District shall employ support staff/paraprofessional members who have such licensing, training and skills as may be required to successfully carry out the requirements of the position. Specific qualifications and the essential job functions shall be listed in regard to such positions.

The administration shall be responsible for the recruitment and selection of support staff in the District subject to Board approval.

Ref. Board Policy 543 Support Staff Recruiting/Hiring

6.6 SUBSTITUTE AND PART-TIME SUPPORT STAFF AND PARAPROFESSIONAL EMPLOYMENT

The Superintendent or his/her designee is responsible for the support staff/ paraprofessional staffing of the District. When the need for temporary or part-time employees is evident, the Superintendent or his/her designee has the responsibility for hiring the necessary help.

Ref. Board Policy 544 Substitute and Part-time Support Staff and Paraprofessional Employment

SECTION 7 COMPENSATION

7.1 *RETIREMENT*

7.1.1. EARLY RETIREMENT-CERTIFIED PERSONNEL

Effective July 1, 2013, teachers shall be categorized according to years of consecutive, full time teaching service to the District for purposes of determining their early retirement benefits under this Section. Such classification is not subject to change.

For purposes of the continuous years of teaching service requirement provided for in this Section, service shall not be deemed interrupted if the employee is on full or partial layoff for two (2) consecutive years or less and subsequently returns to a full-time teaching position, provided however that the teacher shall not continue to accrue years of service while on such layoff. If, at the end of such two year period, the laid off teacher does not return to a full-time teaching position, then the potential retirement benefit accrual for purposes of the requisite continuous years of service shall start over again at zero.

A teacher must notify the School Board in writing by February 1st of his/her intent to retire at the conclusion of the applicable school year and complete the school year immediately preceding the date of retirement in order to be eligible for any early retirement benefits provided for in this Section.

The District retains the right to bargain individually with teachers at its discretion with respect to early retirement benefits.

- A. Teachers with at least 25 years of consecutive, full time teaching service to the District as of July 1, 2013 shall be eligible for the following once they attain the age of 55 (by the end of the contract year in which he/she intends to retire):
1. Upon the eligible teacher's retirement, the District agrees to contribute up to sixty thousand (\$60,000) dollars into a Health Reimbursement Arrangement ("HRA") for the eligible retiree under this subsection. Such contribution shall be made over ten (10) equal installments during the five (5) year period following their retirement or until he/she attains the age of Medicare eligibility, whichever occurs first. Such contributions shall immediately vest with the retiree and his/her heirs as permitted per IRS regulations.
 2. A teacher may elect to remain a member of the District's health insurance group for a maximum of five (5) years or until he/she attains the age of Medicare eligibility if deemed eligible by the carrier; provided, however, that he/she comply with the terms and conditions of this Section, including the full payment of any premiums to the carrier, unless otherwise provided herein. Failure to comply with the requirements of this Section shall result in the retiree being ineligible for the benefits as described.

Retirees and their spouses shall be subject to any changes in the terms and conditions of the District's health insurance plans.

3. Beginning 2016-2017, an additional \$1,500 will be added to the retirement total for longevity pay.
- B. Teachers with at least 20 years, but less than 25 years, of consecutive, full time teaching service to the District as of July 1, 2013 shall be eligible for the following once they attain the age of 55 (by the end of the contract year in which he/she intends to retire):
1. Upon the eligible teacher's retirement, the District agrees to contribute up to forty thousand (\$40,000) dollars into a Health Reimbursement Arrangement ("HRA") for the eligible retiree under this subsection. Such contribution shall be made over ten (10) equal installments during the five (5) year period following their retirement or until he/she attains the age of Medicare eligibility, whichever occurs first. Such contributions shall immediately vest with the retiree and his/her heirs as permitted per IRS regulations.
 2. A teacher may elect to remain a member of the District's health insurance group for a maximum of five (5) years or until he/she attains the age of Medicare eligibility, whichever occurs earlier, if deemed eligible by the carrier; provided, however, that he/she comply with the terms and conditions of this Section, including the full payment of any premiums to the carrier, unless otherwise provided herein. Failure to comply with the requirements of this Section shall result in the retiree being ineligible for the benefits as described. Retirees and their spouses shall be subject to any changes in the terms and conditions of the District's health insurance plans.
 3. Beginning 2016-2017, an additional \$1,000 will be added to the retirement total for longevity pay.
- C. Teachers with at least 15 years, but less than 20 years, of consecutive, full time teaching service to the District as of July 1, 2013 shall be eligible for the following once they attain the age of 55 (by the end of the contract year in which he/she intends to retire):
1. Upon the eligible teacher's retirement, the District agrees to contribute up to twenty thousand (\$20,000) dollars into a Health Reimbursement Arrangement ("HRA") for the eligible retiree under this subsection. Such contribution shall be made over ten (10) equal installments during the five (5) year period following their retirement or until he/she attains the age of Medicare eligibility, whichever occurs first. Such contributions shall immediately vest with the retiree and his/her heirs as permitted per IRS regulations.
 2. A teacher may elect to remain a member of the District's health insurance group for a maximum of three (3) years or until he/she attains the age of Medicare eligibility, whichever occurs earlier, if deemed eligible by the carrier; provided, however, that

he/she comply with the terms and conditions of this Section, including the full payment of any premiums to the carrier, unless otherwise provided herein. Failure to comply with the requirements of this Section shall result in the retiree being ineligible for the benefits as described. Retirees and their spouses shall be subject to any changes in the terms and conditions of the District's health insurance plans.

3. Beginning 2016-2017, an additional \$500 will be added to the retirement total for longevity pay.
- D. Newly hired teachers and teachers with less than 15 years of consecutive, full-time teaching service to the District as of July 1, 2013 shall be eligible for the following:
1. The District agrees to deposit five hundred (\$500) per year into an HRA for each full-time eligible teacher for a maximum of twenty (20) years OR UPON MEDICARE ELIGIBILITY WHICHEVER OCCURS FIRST. Such deposit shall be recorded the last week in July following the successful completion of the preceding school year. Deposits will earn interest and carry over from year to year. A teacher will be vested in the HRA when he/she has at least fifteen (15) continuous years of teaching service in the Phillips School District. Employees who are not 100% vested under the Vesting Schedule at the time of termination shall forfeit their unvested funds. In the event of the death of the Participant, the Participant's spouse, and all of the Participant's qualifying dependents, any vested funds remaining in the account shall be forfeited.
 2. Such teachers will not be eligible to remain a member of the District's health insurance group upon retirement.
 3. Teachers will not be allowed to access any such HRA funds until their retirement from the District.

7.1.2. SICK LEAVE CONVERSION

1. A teacher anticipating retirement shall be allowed to convert his/her accumulated sick leave that exists on his/her final day of employment at the following rates:
 - a. Teachers with at least 25 consecutive, full time years of service to the District as of retirement shall be eligible to convert his/her sick leave at the rate of \$90 per day.
 - b. Teachers with at least 20, but less than 25 consecutive, full time years of service to the District as of retirement shall be eligible to convert his/her sick leave at the rate of \$75 per day.
 - c. Teachers with at least 10 years, but less than 20 consecutive, full time years of service to the District as of retirement shall be eligible to convert his/her

sick leave at the rate of \$60 per day.

2. Such sum shall have no cash value, but rather shall be placed into the teacher's HRA upon their retirement.

7.2 PAYMENT PROCEDURES-RETIREMENT PREMIUMS

Premium payments by all eligible early retirees are due the first of the month prior to the month of coverage for which the premium pays. If after two weeks the District has not received payment from the retiree, then the District shall notify the retiree that the District must receive payment by the end of the month or coverage will be terminated effective the first day of the coming month. If payment is not forthcoming by the last working day of the month, then the District shall notify the insurance company to terminate coverage on the first day of the succeeding month.

Ref. Board Policy 529.3 and 656, Payment Procedures-Retirement Premiums

7.3 WAGES

The District is prohibited from engaging in collective bargaining with its employees on any form of compensation except for total base wages. Premium pay, merit pay, automatic pay progressions and any other form of supplemental compensation may be considered, but not bargained, by the employer.

Upon initial employment in the District, the Board of Education, at its own discretion, will determine new employee's salary. Wages shall be negotiated by law.

The District has the right to freeze an employee's compensation if the employee is on an improvement plan.

7.3.1. CERTIFIED PERSONNEL

See Section 7.3.

7.3.2. SUPPORT STAFF PERSONNEL

See Appendix B.

Unless provided otherwise by an individual contract, all non-certified personnel shall be paid on an hourly basis.

When in the judgment of administration, the work performed by a support staff employee is exemplary, additional compensation may be granted to that custodian by the administration. Such additional compensation will not be added to the employee's base wage, but rather shall be awarded on a periodic basis either as a lump sum amount or a temporary increase to the employee's hourly wage, at the discretion of the District.

7.3.3 ADDITIONAL COMPENSATION

Additional compensation plan is available electronically on the District website or in print form from the District office.

Appendix A – PDF of Organizational Chart

APPENDIX B