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SECTION G: PERSONNEL

(Continued)

GDC	Classified Staff Recruiting
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PERSONNEL POLICIES GOALS

The personnel employed by the District are a very important resource for effectively conducting a quality educational program. The District's program will function best when it employs highly qualified personnel, conducts appropriate staff development activities, establishes policies and working conditions which are conducive to high morale and enable each staff member to make the fullest contribution to District programs and services.

The goals of the District's personnel program will include the following:

1. to develop and implement those strategies and procedures for personnel recruitment, screening and selection which will result in employing the best available candidates: those with the highest capabilities, strongest commitment to quality education and greatest probability of effectively implementing the District's educational program;
2. to develop a general assignment strategy which makes the greatest contribution to the educational program, and to use it as the primary basis for determining staff assignments;
3. to provide positive programs of staff development designed to contribute both to improvement of the educational program and to each staff member's career development aspirations;
4. to provide for a genuine team approach to education, including staff involvement in planning, decision making and evaluation;
5. to develop and use for personnel evaluation positive processes which contribute to the improvement of staff capabilities and assist in making employment decisions and
6. to encourage all employees to be cognizant of their roles in instilling ethical principles and democratic ideals in all District students.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: ORC 3313.602

EQUAL OPPORTUNITY EMPLOYMENT

The District will provide equal opportunities for employment, retention and advancement of all personnel regardless of race, color, creed, national origin, citizenship status, political affiliation, age, gender or handicap/disability.

This Board encourages all personnel to assist in the accomplishment of this goal through their personal commitment to the concept of equal opportunity for all personnel regardless of race, color, creed, national origin, citizenship status, political affiliation, age, gender or handicap/disability.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d
Executive Order 11246, as amended by Executive Order 11375
Equal Employment Opportunity Act, Title VII; 42 USC 2000e
Education Amendments of 1972, Title IX; 20 USC 1681
Rehabilitation Act; 29 USC 794
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 42 USC 1324a et seq.
Americans With Disabilities Act; 42 USC 12101 et seq.
ORC 4112.02

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACB, Nondiscrimination on the Basis of Handicap/Disability

STAFF INVOLVEMENT IN DECISION MAKING

The District involves the efforts of many people and functions best when all personnel are informed of the District's major activities and concerns.

There should be an exchange of ideas and pertinent information among all elements of the District. Morale is enhanced when employees are assured that their voices are willingly heard by those in positions of authority.

All employees of the District will have the opportunity to bring their ideas or concerns to the Board. It is expected that they will proceed through the recognized administrative channels; however, final authority for all decisions rests with the Board.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: BF, Policy Development
CE, Administrative Councils, Cabinets and Committees
DBD, Budget Plan
IF, Curriculum Development

STAFF CONFLICT OF INTEREST

Employees of the Board will not engage in, nor have a financial interest in, any activity which conflicts with their duties and responsibilities in the school system.

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

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

In order that there will be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to that employee.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 2921.42
3313.811
3319.21
3329.10
4117.20

STAFF CONDUCT

All staff members have a responsibility to make themselves familiar with, and to abide by, the laws of the State of Ohio, the policies of the Board and the administrative regulations designed to implement them.

The Board expects staff members to conduct themselves in a manner which not only reflects credit to the District, but also presents a model worthy of emulation by students. Unless otherwise permitted by law, staff members are not permitted to bring a deadly weapon or dangerous ordinance into a school safety zone.

All staff members will be expected to carry out their assigned responsibilities. Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which will be required of all personnel:

1. faithfulness and promptness in attendance at work;
2. support and enforcement of policies of the Board and regulations of the administration;
3. diligence in submitting required reports promptly at the times specified;
4. care and protection of District property and
5. concern and attention toward their own and the District's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Re-adoption date: November 25, 2008]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921
ORC 124.34
2923.1212; 2923.122
3319.081; 3319.16; 3319.31; 3319.36

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
KGB, Public Conduct on District Property

BOARD-STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication with the staff. The basic line of communication will be through the Superintendent.

Staff Communications to the Board

All communications to the Board or any of its subcommittees from staff members will be submitted through the Superintendent. Staff members are also reminded that Board meetings are public meetings and that they provide an excellent opportunity to observe, firsthand, the Board's deliberations.

Board Communications to Staff

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff members fully informed of the Board's problems, concerns and actions.

Visit to Schools

Board members must recognize that their presence in the schools could be subject to a variety of interpretations by school employees; therefore, if a visit to a school or classroom is being made for other than general interest, the Board members will inform the Superintendent of such visit and make arrangements for visitations through the principals of the various schools. Board members will indicate to the principal the reason(s) for the visit. Official visits by Board members will be carried on only under Board authorization.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: ORC 3313.20

STAFF HEALTH AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Board will try to ensure the safety of employees during their working hours and assist them in the maintenance of good health.

All employees are expected to observe commonly recognized practices which promote the health and safety of school personnel.

Bus drivers will have an annual examination in compliance with State law. The results of all physical examinations will be filed with the Superintendent.

The Board may require an individual examination of an employee whenever, in its judgment, it is necessary to protect the health and safety of students, teachers or other employees. Whenever the Board requires an employee to submit to a physical examination other than those required by law, the Board will assume the cost of the examination. All health examinations required of employees will be made by one of the physicians approved for this purpose by the Board.

Workers' Compensation

Each Board of Education in Ohio pays assessments to the Worker's Compensation Fund. Any school employee injured in the pursuit of school activities can draw compensation from this fund. The date, time, place and nature of injury must be reported in writing to the office of the Superintendent on the date of occurrence. Application for this compensation must be filed by the physician not later than two weeks after the date of first treatment, if it is to be recognized.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3313.643; 3313.71; 3313.711

3327.10

4113.23

4123.01 et seq.

Asbestos School Hazard Abatement Act

Asbestos Hazard Emergency Response Act

Comprehensive Environmental Response Compensation and Liability Act

CROSS REFS.: EB, Safety Program

GCBC, Certificated Staff Fringe Benefits

GDBC, Classified Staff Fringe Benefits

HIV/AIDS
(HUMAN IMMUNODEFICIENCY VIRUS/
ACQUIRED IMMUNE DEFICIENCY SYNDROME)

General Principles

The Board recognizes that the human immunodeficiency virus (HIV) and the condition of acquired immune deficiency syndrome (AIDS), which is caused by the HIV infection, are significant medical, legal, educational and social issues. The Board desires to protect the rights of all students and employees and does not discriminate against students and employees who are HIV-infected. The Board works cooperatively with State and local health organizations in assessing the needs of HIV-infected students or staff and keeping updated on current educational information to be included in the District's educational plan.

Current medical information available indicates that HIV cannot be transmitted from one individual to another by casual contact, i.e., the type of contact that occurs in the school setting, such as shaking hands, sharing an office or a classroom, coughing, sneezing or the use of drinking fountains. Students who are infected with HIV are entitled to all rights, privileges and services accorded to other students. Decisions about any changes in the educational program of an HIV-infected student shall be made on a case-by-case basis, relying on the best available scientific evidence and medical advice.

There shall be no discrimination against employees who are HIV-infected. The District provides equal opportunities for employment, retention and advancement for all staff members. Employees who are unable to perform their duties due to an illness, such as those related to HIV, shall retain eligibility for all benefits that are provided for other employees with long-term diseases or disabling conditions, utilizing the information/rights in any negotiated agreements or Board policies as appropriate. A change in employment status or location due to HIV complications are made on a case-by-case basis.

Evaluating Students and Staff Who Are Infected with HIV

The Superintendent is the designee regarding all HIV incidences. When an individual is found to be infected with HIV, the Superintendent shall determine whether the person has a secondary infection, such as tuberculosis, that constitutes a recognized risk of transmission in the school setting. This is a medical question and the Superintendent shall answer it by consulting with the infected person's physician, a qualified public health official who is responsible for such determination and the infected person and a student's parent(s). This group shall also discuss ways that the District may help anticipate and meet the needs of the student or staff member infected with HIV.

If there is no secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall not alter the education program or job assignment of the infected person. The Superintendent shall periodically review the case with the infected person (and the parent(s) of the student) with the medical advisors described above.

If there is a secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall consult with the physician, public health official and the infected person (and the parent(s) of the student). If necessary, they will develop an individually tailored plan for the student or staff member. Additional persons may be consulted, if this is essential for gaining additional information, with the consent of the infected staff member or the student's parent(s). The Superintendent should consult with the school attorney to make sure that any official action is consistent with Ohio and Federal laws. When the Superintendent makes a decision about the case, there shall be a fair and confidential process for appealing the decision.

If an individually tailored plan is necessary, it shall have a minimal impact on either education or employment. It must be medically, legally, educationally and ethically sound. The Superintendent periodically reviews individual cases and oversees implementation of the plan in accordance with local, Ohio and Federal laws.

Confidentiality

Information regarding a student or staff member infected with HIV is classified, by law, as confidential. Those individuals who have access to the proceedings, discussions or documents must treat such information as confidential. Only with the written consent of the staff member or the student's parent(s) shall other school personnel, individuals and agencies be informed of the situation/condition. All information pertaining to the case shall be kept by the Superintendent in a locked file; access to this file is granted only to those people who have the written consent of the infected staff member or the infected student's parent(s).

HIV Advisory Committee

The President of the Board appoints an HIV Advisory Committee. The Committee consists of one member of the Board, the Superintendent, one principal, one teacher, the District's legal counsel, the school physician and a doctor who specializes in communicable diseases. Other persons who may be considered as members include a guidance counselor, a student and an official of the County Department of Health. The function of the HIV Advisory Committee is:

1. to keep informed regarding the latest medical developments and information regarding HIV;
2. to advise the Board regarding policies and regulations and any changes which the Committee recommends in such policies to the Board;
3. to advise the Board regarding the HIV education program;
4. to develop guidelines for Board consideration on hygienic practices in schools and

5. to assist any student, parent or employee who is seeking information about HIV.

HIV Education Program

The Board directs the administration, with the advice of the HIV Advisory Committee, to develop a program for educating persons regarding HIV. The program should provide a plan for making information about HIV available to students as a part of the health curriculum. HIV education should be developmentally appropriate to the grade level.

The Board directs the administration to develop an educational plan to inform employees about HIV-related issues and safety. In developing such programs, it is expected that information from sources such as the National Centers for Disease Control, the Ohio Department of Health and the Ohio Department of Education are utilized.

The educational program should ensure that, at a minimum, students and staff are informed in a consistent manner about:

1. the nature of HIV infection, including how it is and is not transmitted according to current scientific evidence;
2. District guidelines related to students and employees with diseases such as HIV infection;
3. resources within the District and the surrounding community for obtaining additional information or assistance and
4. procedures to prevent the spread of all communicable diseases at school.

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3313.67; 3313.68; 3313.71
3319.321
3701.13; 3701.14
3707.06; 3707.08; 3707.20; 3707.21; 3707.26
3709.20; 3709.21
OAC 3301-35-02

CROSS REFS.: AC, Nondiscrimination/Harassment
ACB, Nondiscrimination on the Basis of Disability
EBBC, Bloodborne Pathogens
GBA, Equal Opportunity Employment
GBE, Staff Health and Safety
GBL, Personnel Records
JB, Equal Educational Opportunities
Staff and Student Handbooks

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees of the District have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive public office.

The terms and conditions under which the employee may continue employment as he/she seeks or holds such office will be determined in compliance with law.

In connection with campaigning, no employee will use District time, moneys, facilities, equipment or supplies nor will the employee discuss the campaign with school personnel or students during the working day.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: Intergovernmental Personnel Act, § 4728
ORC 124.57
3315.07

STAFF GIFTS AND SOLICITATIONS

Gifts

The Board authorizes the expenditure of public funds to purchase meals, refreshments and favors for employees and Board members in the completion of their responsibilities. The Board believes that such expenditures are necessary, on occasion, to further a public purpose in the general operation of the District. Such public purpose includes, but may not be limited to, employee development activities, employee recognition activities and certain routine meetings that may be enhanced by such amenities.

Such expenditures shall be consistent with the Board's purchasing policy and within the appropriation limits established by the Board.

Presentation of gifts to, and the arrangement of social affairs for, employees leaving the system are governed by the following.

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

Solicitations

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

Employees may not engage in the sale of products to the schools, even if the proceeds of such sales are intended for charitable or civic purposes; no staff member is to collect any money or distribute any fund-raising literature without the expressed approval of the Superintendent.

[Adoption date: May 26, 1998]

LEGAL REFS.: ORC 117.10
3313.81; 3313.811
3315.15
3329.10

CROSS REFS.: IGDG, Student Activities Funds Management
JL, Student Gifts and Solicitations

PERSONNEL RECORDS

The Superintendent will develop and implement a comprehensive and efficient system of personnel records. The following guidelines govern such records:

1. Personnel files will contain records and information relative to compensation, payroll deductions, evaluations and such information as may be required by the State or Federal government or considered pertinent by the Superintendent. Anonymous material or material from an unidentified source will not be placed in a staff member's file.
2. A personnel file for each employee will be accurately maintained in the District office in accordance with administrative regulations incorporating the requirements set forth under the Ohio Privacy Act for the protection of employees.
3. State law requires that all public records be promptly prepared and made available for inspection to any member of the general public at all reasonable times during regular business hours. Upon request, the person responsible for maintenance of the public records is required to make copies available at cost, within a reasonable period of time.
4. The public will have access to all records in the personnel file with the following exceptions:
 - A. medical records;
 - B. records pertaining to adoption, probation or parole proceedings;
 - C. trial preparation records;
 - D. confidential law enforcement investigatory records and
 - E. records of which the release is prohibited by State or Federal law.
5. Each employee will have the right, upon written request, to review the contents of his/her own personnel file. Exceptions to this shall include medical, psychiatric or psychological information determined by a physician, psychiatrist or psychologist to be likely to have an adverse affect upon the employee. Requests will be made to the Superintendent and scheduled for a time convenient for the parties involved.
6. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file after the appeal procedure outlined in the Ohio Revised Code. The appeal procedure permits any employee who disputes the accuracy, relevance, timeliness or completeness of information maintained in his/her file to compel the District to investigate the current status of the information.

7. Personnel records should be reviewed only within the confines of the Superintendent's office or the Board's office.

[Adoption date: September 20, 1994]

[Re-adoption date: March 26, 1998]

LEGAL REFS.: ORC 9.01; 9.35
 149.41; 149.43
 1347.01 et seq.
 3317.061
 4113.23
 OAC 3301-35-03(A)(10)

CROSS REF.: EHA, Data Records Retention

STAFF COMPLAINTS AND GRIEVANCES

It is the policy of the Board to develop and practice reasonable and effective means of resolving difficulties which may arise among employees, to reduce potential areas of grievances, and to establish and maintain recognized two-way channels of communication between employees.

The Board intends in this grievance policy to expedite the process for all parties concerned. The policy, therefore, has, as its goal, the following:

1. The policy is intended to be used after an attempt has been made to resolve a difficulty on a face-to-face basis between the parties concerned.
2. The policy is designed to secure proper and equitable solutions to grievances at the lowest appropriate level, and to facilitate an orderly succession of procedures within which solutions may be pursued.
3. There shall be no reprisals of any kind taken against any employees or their representatives because of participation in a grievance or support thereof and under no circumstances will the procedure constitute a reflection on the employment record of the grievant nor shall the grievant or his/her representative conduct reprisals against the Board.

For the purposes of this policy, the terms used herein shall have the following listed definitions:

1. Grievance - A grievance is an alleged violation of (or) any unresolved problem concerning application or interpretation of State laws or regulations, the policies, rules or regulations of the Board, or written administrative procedures.
2. Conferee - A conferee is a fellow employee, department head, supervisor, administrator or legal counsel.
3. Grievant - A grievant is a single employee of the District.
4. A Day - A day is any day that the District administrative offices are open for business.

Alleged grievances should be discussed in private, informal conference between the parties involved.

At least three such private meetings should take place between the parties before the grievance procedure is invoked.

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File: GBM

Level One

1. Within 10 days after the occurrence of the act or omission giving rise to the

grievance, the grievant must present his/her grievance in writing to the administrator with immediate administrative responsibilities for the position to which the complainant is assigned.

This statement shall be a clear, concise statement of the grievance, and:

- A. the policy or law for which there is an alleged violation;
- B. the circumstances on which the grievance is based;
- C. the person(s) involved;
- D. the decision rendered at the private conference and
- E. the remedy sought.

Copies of this statement may be sent to conferees.

- 2. Within five days, the administrator shall communicate his/her decision to the employee in writing. Either party to the grievance shall have the right to request a personal conference in order to resolve the grievance. Either party may request the presence of one conferee.

Level Two

- 1. In the event the employee is not satisfied with the decision at Level One, he/she may appeal the decision in writing to the Superintendent within 10 days after receiving it.
- 2. This written statement shall include a copy of the original grievance; the decision rendered; the name of the appellant's conferee, if any; and, a clear, concise statement of the reasons for the appeal on the decision.
- 3. The responding administrator shall communicate the decision to the grievant within five days.
- 4. Either party in the appeal may request a personal conference within the above time limits. If the decision has not been rendered within the time limits, the grievant may appeal to the next level.

Level Three

- 1. Within 10 days after receiving the decision of the administrator in Level Two, the

- grievant may, on his/her own or with his/her conferee, appeal the decision of Level Two to the Superintendent. The appeal shall be in writing and shall be accompanied by a copy of the decisions of Level One and Level Two.
2. Within 10 days after the delivery of the appeal, the Superintendent shall investigate the grievance giving all persons who participated in Levels One and Two a reasonable opportunity to be heard.
 3. Within five days after delivery of the appeal, the Superintendent shall submit his/her decision in writing together with supporting reasons to be the grievant and the administrators involved.

Level Four

1. Within 10 days after receiving the decision of the Superintendent, the grievant may, on his/her own, or through a conferee, appeal the decision in writing to the Board.
2. The Board shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled Board meeting.

The grievant and/or his/her conferee shall be present at the hearing.

3. Within five days following the hearing, the Board will submit its decision in writing together with supporting reasons to the grievant. A copy shall be furnished the administrators involved and the Superintendent. The decision of the Board is final.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 4117.09; 4117.10

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File: GBN

EXTENDED GROUP HEALTH COVERAGE

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) provides for certain employees of the District and their dependents to be allowed to purchase extended group health insurance coverage for a limited period of time following their cessation of employment with the

District. The insurance policy shall state the Board's policy and procedures concerning the compliance with, and implementation of the law. As a part of this compliance the Board has designated the Treasurer as plan administrator who will coordinate the program and provide the notices which are necessary.

1. Initial Notices

- A. The plan administrator must give a written notice describing the new extended coverage rights to all employees and spouses covered by the group health insurance plan at the time the new requirements become effective.
- B. The plan administrator must give a written notice describing extended coverage rights to each newly covered employee and spouse at the time their group health plan coverage begins. If a covered employee marries following the effective date of the Board's policy, it is the employee's responsibility to inform the Board. The Board will inform the plan administrator, who will then be responsible for providing the new spouse with the proper notice.

2. Notices Related to Event Triggering Continuation Coverage and Election by Beneficiaries

- A. The Board is responsible for notifying the plan administrator, within 30 days, of the death, separation of employment or reduction of hours (leading to less coverage) of an employee and of an employee's entitlement to Medicare benefits.
- B. The employee or beneficiary is responsible for notifying the plan administrator of the divorce or legal separation of the employee and spouse and of the termination of eligibility of a dependent child.
- C. The plan administrator must notify the affected employee and dependents of their extended coverage rights within 14 days after the plan administrator is notified of the event which could lead to loss of coverage.
- D. The employee or dependent will be given a period of 60 days after this notice is given in order to elect the extended coverage and to present payment of any applicable premium costs back to the cessation of coverage.

3. Employees' and Dependents' Rights Upon Loss of Coverage

- A. The extended coverage offered to eligible employees and their dependents is the same coverage as that provided under the current group plan to "similarly situated" individuals who remain eligible for regular (i.e., nonextended) coverage.

- B. If an employee incurs a termination of employment, whether voluntary or involuntary (other than for "gross misconduct"), or a reduction of hours which results in loss of coverage, he/she will be offered the extended coverage (including extended coverage for dependents who would otherwise lose existing coverage) for up to 18 months.
- C. If an employee's spouse or children who are covered as dependents under the group health plan would lose coverage because of the death of the employee, divorce, legal separation or the employee's becoming eligible for Medicare, the spouse and children will be offered the extended coverage for up to 36 months.
- D. If an employee's dependent child who is covered by the group health plan ceases to be a dependent child under the terms of the plan and thereby loses coverage, the child must be offered extended coverage for up to 36 months.

4. Early Retirement of Coverage

Extended coverage elected by an eligible employee or dependent will be terminated before the expiration of the relevant 18- or 36-month period if the covered individual:

- A. becomes covered by another employer-sponsored group health plan as a result of employment, re-employment or remarriage;
- B. becomes covered by Medicare or
- C. fails to pay for the coverage.

5. Cost of Coverage to the Employee and/or Dependents

- A. Eligible individuals who elect extended coverage may be charged 102% of the cost of the extended coverage. The cost of the extended coverage is the cost for the same period of coverage for similarly situated employees or dependents who remain eligible for regular coverage.
- B. The health care coverage to which this policy applies includes major medical, hospitalization, surgical and dental insurance and vision insurance, but does not include life insurance.
- C. Employees on approved military leave will have board-paid benefits as stated in "B" above for the first 31 days of leave as prescribed by current law. (USERRA)

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Revised revision: January 22, 2002]

LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act (COBRA)
Uniformed Services Employment and Reemployment Rights Act (USERRA)

VERIFICATION OF EMPLOYMENT ELIGIBILITY

The Board will comply with all aspects of the Immigration Reform and Control Act of 1986. The Board will delegate to the Superintendent the responsibility of establishing procedures to ensure compliance with this Act.

Federal law requires that all employers and employees, hired after November 6, 1986 complete an Employment Eligibility Verification Form (Form I-9) provided by the U.S. Immigration and Naturalization Service. All such employees must provide documents which establish both identity and employment eligibility in order for Form I-9 to be completed and signed by both the employee and the appropriate District official.

The Employment Eligibility Verification Form (Form I-9) must be retained for three years or for one year past the end of the employment of an individual, whichever is longer. Such forms must be made available for inspection to an Immigration and Naturalization Service (INS) or Department of Labor (DOL) officer upon request.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: Immigration Reform and Control Act of 1986, Pub. L. No. 99-603
(1986)

CROSS REF.: AC, Nondiscrimination

VERIFICATION OF EMPLOYMENT ELIGIBILITY

In order to comply with Federal law, the following verification of employment eligibility procedures will apply:

Completion of Form I-9

The Superintendent or his/her designee will require persons employed to complete Form I-9 within three business days of the date of employment. If an individual is employed for less than three days, the form must be completed before the end of the employee's first working day.

The following individuals do not need to complete Form I-9:

1. persons hired before November 7, 1986;
2. persons hired after November 6, 1986, who left your employment before June 1, 1987;
3. persons who provide labor to the District and who are employed by a contractor providing contract services and/or
4. persons who are independent contractors.

The Superintendent or his/her designee is also responsible for reverifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Acceptable Documents for Verifying Employment Eligibility

All employees hired after November 6, 1986 will need to provide a document or documents which establish identity and employment eligibility. The following lists identify acceptable documents:

LIST A

Documents Which Establish Identity and Employment Eligibility

1. United States passport
2. Certificate of United States Citizenship (INS Form N-560 or N-561)
3. Certificate of Naturalization (INS Form N-550 or N-570)

4. Unexpired foreign passport which:
 - A. contains an unexpired stamp which reads "Processed for I-551. Temporary Evidence of Lawful Admission for permanent residence. Valid until __. Employment authorized" or
 - B. has attached thereto Form I-94 bearing the same name as the passport and contains an employment authorization stamp, provided that the period of endorsement has not expired and the proposed employment is not in conflict with any restrictions or limitations identified on Form I-94.
5. Alien Registration Receipt Card (INS Form I-151) or Resident Alien Card (INS Form I-551), provided that it contains a photograph of the bearer
6. Temporary Resident Card (INS Form I-688A)
7. Employment Authorization Card (INS Form I-688A)

LIST B

Documents Which Establish Identity

1. For individuals 16 years of age or older:
 - A. State-issued driver's license or State-issued identification card containing a photograph. If the driver's license or identification card does not contain a photograph, identifying information should be included, such as name, date of birth, sex, height, color of eyes and address.
 - B. School identification card with a photograph
 - C. Voter's registration card
 - D. United States military card or draft record
 - E. Identification card issued by Federal, State or local government agencies
 - F. Military dependent's identification card
 - G. Native American tribal documents
 - H. United States Coast Guard Merchant Mariner card
 - I. Driver's license issued by a Canadian government authority

2. For individuals under age 16 who are unable to produce one of the documents listed above:
 - A. School record or report card
 - B. Clinic doctor or hospital record
 - C. Day-care or nursery school record

LIST C

Documents Which Establish Eligibility:

1. Social Security number card, other than one which has printed on its face "not valid for employment purposes"

Note: This must be a card issued by the Social Security Administration; a facsimile (such as a metal or plastic reproduction) is not acceptable.
2. An original or certified copy of a birth certificate issued by a state, county or municipal authority bearing an official seal
3. Unexpired INS employment authorization
4. Unexpired re-entry permit (INS Form I-327)
5. Unexpired Refugee Travel Document (INS Form I-571)
6. Certification of Birth issued by the Department of State (Form FS-545)
7. Certification of Birth Abroad issued by the Department of State (Form DS-1350)
8. United States Citizen Identification card (INS Form I-197)
9. Native American tribal document
10. Identification Card for use of Resident Citizen in the United States (INS Form I-179)

Retention of Employment Eligibility Verification Form (Form I-9)

The Superintendent or his/her designee must retain Form I-9 for three years or for one year past the end of the employment of the individual, whichever is later. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

Page 3 of 4

File: GBO-R

Preparation of Documents for Inspection

U.S. Immigration and Naturalization Service (INS) or Department of Labor (DOL) officers are required to give employers three days advance notice before an inspection. The Superintendent or his/her designee will assemble the I-9 forms in preparation for the inspection. Failure to provide the I-9 forms could result in civil money penalties for each employee for whom the form was not completed, retained or presented.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

Page 4 of 4
File: GBP

DRUG-FREE WORKPLACE ACT

No employee of the Board engaged in work or while in the workplace shall unlawfully

Southern Ohio Educational Service Center Governing Board, Wilmington, Ohio

manufacture, distribute, dispense, possess, or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined in Federal and State law.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. The workplace includes any school building, school property, school-owned vehicles, or school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-related activity, event or function, such as a field trip or athletic event where students are under the jurisdiction of the school district where work on a federal grant is performed.

As a condition of employment, each employee who is engaged in performance of a federal grant shall notify his/her supervisor of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, not later than five days after such conviction.

An employee who violates the terms of this policy shall satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the Board. If the employee fails to satisfactorily participate in such program, the employee shall be nonrenewed or employment may be suspended or terminated, at the discretion of the Board.

Sanctions against employees, including nonrenewal, suspension and termination shall be in accordance with prescribed District administrative regulations and procedures.

Employees of the Board shall not consume, possess, use, conceal, sell, attempt to sell or deliver narcotics, drugs, alcohol or any other intoxicant or use, conceal or possess paraphernalia associated with the use of controlled substances, or alcohol while on school premises (including district-owned vehicles) or at any school-related functions, including activities or events at other sites under school jurisdiction.

Any District employee in violation of this policy will be subject to disciplinary action. Such action may include verbal and/or written reprimands, suspension or termination of employment, and/or referral for prosecution in compliance with local, State and federal law.

Information about drug and alcohol counseling and rehabilitation will be made available to employees. When disciplinary action is anticipated or has occurred, employees have the right of due process.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: Drug-Free Workplace Act of 1988; 41 USC 701 et seq.;
20 USC 3474, 1221e-3(a)(1)
Drug-Free Campus and Schools Act; 20 USC 3224(a), 34 CFR, §86

CRIMINAL RECORD CHECK

The Board shall request from the Superintendent of the Bureau of Criminal Identification and Investigation (BCII) criminal record checks of all candidates under final consideration for employment or appointment in the District. The BCII criminal record checks include information from the Federal Bureau of Investigation (FBI).

The Board may employ persons on the condition that the candidates submit to and pass a BCII criminal record check in accordance with State law. Any person conditionally hired who fails to pass a BCII criminal background records check shall be released from employment. Applicants are to be given a separate written statement informing them that the Board uses a criminal record check as part of the initial hiring process and at various times during the employment career. This notice must be on a separate document which only contains this notice. The applicant's written authorization to obtain the criminal record check will be obtained prior to obtaining the criminal record check.

Prior to taking an adverse action against an applicant or employee (such as declining to employ, reassigning an employee, denying a promotion, suspension, nonrenewal or termination) based in whole or in part on a criminal record check, the applicant or employee shall be given a written pre-adverse action disclosure statement which includes a copy of the criminal record check and the Federal Trade Commission's notice entitled "A Summary of Your Rights Under the Fair Credit Reporting Act."

After taking an adverse action, the applicant or employee shall be given a written adverse action notice which includes the name, address and telephone number of the BCII, a statement that the BCII did not make the decision to take the adverse action and cannot give specific reasons for it, the individual's right to dispute the accuracy or completeness of any information furnished by the BCII and the individual's right to an additional free criminal record check from the BCII upon request within 60 days.

An applicant for employment may provide a certified copy of a BCII criminal background records check to the District in compliance with State law. The District may accept this background check in place of its own background records check if the date of acceptance by the District is within one year after the date of issuance by the BCII.

State law requires subsequent criminal records checks every five years for all school employees except bus drivers. For currently employed bus drivers, a new report is required every six years.

Any and all information obtained by the Board or persons under this policy is confidential and shall not be released or disseminated. Criminal records checks are not public records for purposes of the Public Records Law. Any applicant not hired because of information received from the record check shall be assured that all records pertaining to such information are destroyed.

Volunteers

All volunteers who may have contact with students outside the direct supervision of a certified/licensed employee of the Board will be required to complete a satisfactory criminal record check prior to starting their volunteer duties. The Board will pay for the background check. Once a satisfactory background check has been received, that individual will not be required to undergo another background check unless there has been an interruption in volunteer services of eighteen calendar months or more.

Contractors

Criminal records checks are required for contractors who meet the following four criteria: (1) the contractor is an employee of a private company under contract with the District to provide “essential school services”; (2) the contractor works in a position involving routine interaction with a child or regular responsibility for the care, custody or control of a child; (3) the contractor is not licensed by ODE and (4) the contractor is not a bus driver.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Approved Amendment: July 25, 2006]

[Approved Revision: October 28, 2008]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.

ORC 109.57; 109.572; 109.575; 109.576

2953.32

3301.074

3314.19; 3314.41

3319.088; 3319.089; 3319.22; 3319.222; 3319.29; 3319.291; 3319.302;

3319.303; 3319.304; 3319.311; 3319.313; 3319.315; 3319.39;

3319.391; 3319.392

3327.10

OAC 3301-27-01

3301-83-06

CROSS REFS.: EEAC, School Bus Safety Program

GBL, Personnel Records

GCBB, Professional Staff Supplemental Contracts

GCD, Professional Staff Hiring

GCPD, Suspension and Termination of Professional Staff Members

GDBB, Support Staff Pupil Activity Contracts

GDD, Support Staff Hiring

GDPD, Suspension and Termination of Support Staff Members

IIC, Community Instructional Resources (Also KF)

IICC, School Volunteers

KBA, Public’s Right to Know

LEA, Student Teaching and Internships

FAMILY MEDICAL LEAVE

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act (FMLA). Eligible employees are entitled to up to 12 work weeks of unpaid family and medical leave in any 12-month period. The District will continue to pay the District's share of the employee's health benefits during the leave. In addition, the District will restore the employee to the same or a similar position after the termination of the leave in accordance with Board policy.

In complying with the FMLA, the District will adhere to the requirements of applicable Federal and State laws.

Additional information is contained in the regulations which follow this policy.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.

ORC 124.39

3313.20; 3313.211

3319.08; 3319.09; 3319.13; 3319.131; 3319.14; 3319.143

FAMILY MEDICAL LEAVE ACT

Family Medical Leaves and Absences

An employee who has worked for the District for at least 12 months is eligible for 12 work weeks of FMLA leave during a 12-month period provided the employee worked at least 1,250 hours in the 12 months preceding the beginning of the leave.

Types of Leave

An eligible employee may take FMLA leave for:

1. the birth and first-year care of a child;
2. the adoption or foster placement of a child;
3. the serious illness of an employee's spouse, parent or child and
4. the employee's own serious health condition that keeps the employee from performing the essential functions of his/her job.

An employee may elect, or the District may require, an employee to use accrued paid vacation, personal or sick leave for purposes of a family leave. An employer cannot compel the employee to use accrued medical/sick leave in any situation which the leave could not normally be used.

Spouses employed by the District

If a husband and wife eligible for leave are employed by the District, their combined amount of leave for birth, adoption, foster care placement and parental illness may be limited to 12 weeks. An employee may not take FMLA leave to care for a parent-in-law.

Intermittent and Reduced Leave

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury.

Reduced leave is a leave schedule that reduces employee's usual number of hours per work week or hours per work day.

Intermittent or reduced leave is available only for the employee's own serious health condition or to care for a seriously ill spouse, child or parent. Such leave may not be used for the birth or adoption/placement of a child.

The employee who wishes to use intermittent or reduced leave must have the prior approval of the District. Although the District and employee may agree to an intermittent or reduced leave plan, the employee who uses family leave is not automatically entitled to use such leave on an intermittent basis or on a reduced leave schedule.

The District may provide such leave for medical leave but the District may transfer the employee to a position which is equivalent, but more suitable for intermittent periods of leave. The employee must furnish the District with the expected dates of the planned medical treatment and the duration of the treatment. The Superintendent must authorize such leave in writing.

Benefits

The District will maintain the employee's health coverage under the District's group health insurance plan during the period of FMLA leave. The employee should make arrangements with the District to pay the employee's share of health insurance (e.g., family coverage) prior to the beginning of the FMLA leave.

The employee will not lose any other employment benefit accrued prior to the date on which leave began but is not entitled to accrue seniority or employment benefits during the leave period. Employment benefits could include group life insurance, sick leave, annual leave, educational benefits and pensions.

Notice

When the FMLA leave is foreseeable, the employee must notify the District of his/her request for leave at least 30 days prior to the date when the leave is to begin. If the leave is not foreseeable, the employee must give notice as early as is practical. When the employee requests medical leave, the employee must make reasonable attempts to schedule treatment so as not to disrupt the District's operations

The District may deny the leave if the employee does not meet the notice requirements

Certification

The District may require the employee to provide certification from a health care provider containing specific information required under the law if he/she requests a medical leave. If there is a question concerning the validity of such certification a second, and, if necessary, a third opinion can be required both at the expense of the District.

Upon the employee's return to work, the District will require that the employee present a fitness statement from the employee's health care provider certifying that the employee is able to return to work

Restoration

When the employee returns from the leave, the District will restore the employee to the same or an equivalent position with equivalent benefits, pay, terms and conditions of employment in accordance with Board policy.

Under certain circumstances, the District may deny restoration to a key employee. The District will comply with the notice requirements of the FMLA in denying restoration. A key employee is one who is among the highest paid 10% of the employees and whose absence would cause the District to experience a substantial and grievous economic injury.

Instructional employees

Special leave rules apply to instructional employees. Instructional employees are those employees whose principal function is to teach and instruct students in a small group, or an individual setting. This term includes teachers, athletic coaches, driving instructors and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

Limitations apply to instructional employees who take intermittent or reduced leave. If the leave requested is:

1. to care for a family member;
2. for the employees own serious health condition;
3. is foreseeable based on planned medical treatment and
4. the employee would be on leave for more than 20% of the total number of working days over the period the leave would extend.

Then the District may require the employee to choose either to:

1. take the leave for a period or periods of a particular duration, not greater than the planned treatment or
2. transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position.

Limitations also apply to instructional employees who take leave near the end of a semester. When an instructional employee begins leave more than five weeks before the end of a semester the District may require the employee to continue taking leave until the end of the semester if:

1. the leave will last at least three weeks and
2. the employee would return to work during the three-week period before the end of the semester.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the District may require the employee to continue taking leave until the end of the semester if:

1. the leave will last more than two weeks, and
2. the employee would return to work during the two-week period before the end of the semester.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester and the leave will last more than five working days, the District may require the employee to continue taking leave until the end of the semester.

Failure to return

The District is entitled to recover health care premiums paid during the leave if the employee fails to return from leave; however, recovery cannot occur if the employee fails to return because of the continuation, recurrence or onset of a serious health condition or due to circumstances beyond the control of the employee.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

CERTIFICATED STAFF POSITIONS

The Board recognizes the need to establish positions which, when filled by competent, qualified staff members, will assist the District in achieving the educational goals set by the Board.

The Board reserves the right to:

1. create new positions and provide each with a job description clearly descriptive of the duties for which the position was created and provide each with a title that conforms with the appropriate certification insofar as possible;
2. specify the number of persons to be employed within each job category and
3. set the initial salary for a new position not currently covered by a valid salary schedule.

In the exercise of its authority to create new positions, the Board shall give primary consideration to the number of students enrolled, the special needs of the community, the special needs of the students, and the operational services of the District.

The Board shall seek the recommendation of the Superintendent in creating a new position or increasing the number of employees in an existing position, but the Board reserves the right to act unilaterally.

The Board shall, upon the recommendation of its Superintendent, consider the advisability of creating a new position or of increasing the number of employees in an existing position.

The Board wishes the Superintendent to maintain continuously a comprehensive, coordinated set of job descriptions for certificated and operational positions so as to promote effectiveness, efficiency and economy in the operation of the District staff.

Job descriptions for positions which report directly to this Board shall be defined as policies of the Board.

All other job descriptions shall be defined as regulations of the Superintendent and will be originated and maintained in accordance with the provisions specified in the policies or regulations of the Board.

Each employee will be provided with a copy of his/her job description at the time of employment and any revisions thereto. Employees will be evaluated in part against their job descriptions. Job descriptions shall be brief, factual and wherever possible, generically descriptive of similar jobs.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3319.02; 3319.03; 3319.09; 3319.10; 3319.22
4117.01

CERTIFICATED STAFF CONTRACTS AND COMPENSATION PLANS
(TEACHERS)

The Board believes that a fair teacher compensation plan, which includes an adequate base salary, increments and employee benefits, is necessary to attract and hold highly qualified men and women who will provide the quality educational program it desires in its schools.

As required by law, notice of annual salary will be given to each certificated employee by July 1.

Teacher Contracts

Written contracts of employment shall be issued to all certificated teaching personnel. Contracts are by and between the staff member and the Board.

The basic types of contracts are as follows:

1. Limited contract

A teacher new to the District will be employed on limited contract.

2. Extended Limited contract

A limited contract given to a teacher who is eligible for consideration for a continuing contract.

3. Continuing contract

When a teacher employed under a limited contract is issued a teaching certificate of a higher grade (professional or permanent) and has taught three of the last five years in the District, he/she will be eligible for consideration for a continuing contract at the expiration of his/her limited contract.

A teacher who has obtained continuing contract status elsewhere in Ohio becomes eligible for a continuing contract upon employment but must be considered for continuing contract after two years' service in the District. A teacher who meets all legal qualifications for a continuing contract, but who is not recommended by the Superintendent and approved by the Board for a continuing contract, may be offered an extended limited contract or may be nonrenewed. The teacher must be notified of the Board's action not to re-employ, in writing by the Treasurer, on or before April 30.

File: GCB-1

Written notification of the Superintendent's recommendation as well as the Board's action to issue a one- or two-year extended limited contract must be received by the teacher on or before April 30 of the year in which his/her contract expires. If the teacher accepts the limited contract, a subsequent contract, if granted, must be a continuing contract.

The Superintendent may recommend re-employment of such teacher if continuing service status has not been attained in another District, under an extended limited contract not to exceed two years, with the reasons directed at professional improvement of the teacher. This option is available only after the Board first rejects the Superintendent's recommendation for continuing contract. The Superintendent may not recommend an extended limited contract as an initial recommendation.

4. Supplemental contracts

Supplemental contracts will be entered into with each teacher who performs assigned supplemental duties for which compensation is authorized. Such contracts will be issued for one year and will be separate from teaching contracts. Elimination or creation of assignments for extra duties will be made at the discretion of the Superintendent, subject to approval by the Board.

The Superintendent's recommendation will be considered in all contract renewals.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3317.13; 3317.14
3319.07; 3319.08; 3319.09; 3319.10; 3319.11; 3319.111; 3319.12;
3319.24; 3319.25; 3319.26

CROSS REF.: GCB, all subcodes

CERTIFICATED STAFF CONTRACTS AND COMPENSATION PLANS
(TEACHERS)

In accordance with law and for the mutual protection of the District and the employee, every teacher shall be required to enter a written employment contract.

Each employment contract shall include:

1. the term for which employment is contracted, including beginning and ending dates:
 - A. Teaching contracts will be issued to encompass the “school year” as established by the official Board calendar. For positions other than “teacher” contracts for full-time service of 10 months (204 days), 11 months (226 days) 12 months (248 days) of service will be issued in accordance with the position for which an individual is employed.
2. the salary at which the person is employed.

Nonrenewal of Teacher Contract

It is the responsibility of the Board to provide a competent and able staff to perform the services of the District. Every effort shall be made to recruit and provide in-service training for such personnel.

The Board, upon the recommendation of the Superintendent, may exercise its option under law not to renew the contract of a teacher under a limited contract.

A teacher employed under a limited contract, not eligible for consideration for employment under a continuing contract, shall be considered to be re-employed unless the Board, acting on the Superintendent’s recommendation, gives the teacher notice of its intention not to re-employ on or before April 30 or the teacher tenders his/her resignation on or before June 1. The Superintendent and Treasurer shall notify the employee in writing of the Board’s action.

A teacher eligible for employment under a continuing contract, who has served an additional limited contract of not more than two years, shall be considered to be re-employed on a continuing contract unless the Board takes action by April 30 as above noted. A holder of a limited contract is presumed to have accepted employment under existing contract unless notification is received in writing by the Board to the contrary on or before the first day of June.

The Board may establish a return date for contracts offered, and reserves the right to rescind the contract offered if said contract is not signed and returned by return date.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

CERTIFICATED STAFF CONTRACTS AND COMPENSATION PLANS
(ADMINISTRATORS)

The Board believes that fair compensation plans are necessary in order to attract and hold highly qualified administrators to provide and manage a quality educational program.

The Board may establish a salary schedule for its administrators, with the exception that the salaries of the Superintendent and Assistant Superintendent will be reviewed annually and determined by the Board. Notice of annual salary will be given to each administrator by July 1.

All administrators shall be issued written limited contracts. The contract will specify the administrative position and duties, the salary and other compensation to be paid for performance of such duties, the number of days to be worked, the number of days of vacation leave and any paid holidays in the contractual year.

The term of the administrator's contract will not exceed three years, except that an individual who has been employed as an administrator for three years or more shall be entitled to receive a contract of not fewer than two nor more than five years; however, the Superintendent may recommend employment of an individual who has served as an administrator in the District for three years or more under a one-year administrative contract once during such individual's administrative career in the District.

An administrator who has earned teacher continuing contract status in the District will retain such status while serving as administrator. Any administrator who previously obtained teacher continuing contract status in another District will achieve teacher continuing contract status in the District after re-employment with two or more years' experience as an administrator in the District.

The Superintendent's recommendation will be considered in all contract renewals. All administrators whose contracts will expire at the end of the school year will receive a written copy of a preliminary evaluation at least 60 days prior to any action of the Board on their contracts of employment and a written copy of a final evaluation at least five days prior to any action of the Board on their contracts of employment. The final evaluation shall indicate the superintendent's intended recommendation to the Board regarding the contract of employment for the employee. Before March 31, any such employee will be notified by the Board of the date on which the contract expires and of the individual's right to request a meeting with the Board in executive session to discuss the reasons for considering renewal or nonrenewal of his/her contract. Also prior to March 31 of the year in which the contract of employment expires, any administrator whom the Board intends to nonrenew will receive written notification of the Board's intent not to re-employ. All administrators whose contracts will not expire at the end of the school year will receive a written copy of an evaluation prior to the end of the contract year as set forth in the salary notice.

[Adoption date: September 20, 1994]
[Re-adoption date: May 26, 1998]
[Approved Amendment: July 25, 2006]

LEGAL REFS.: ORC 3319.02; 3319.11; 3319.12
4117.01
OAC 3301-35-03(A)(8)

CERTIFICATED STAFF FRINGE BENEFITS

Group Health Insurance

The Board realizes the concern of its employees for the availability of those protective and personally advantageous benefits beyond an individual's basic salary. It is the Board's desire to make available or provide within the limits of law and sound fiscal management, those which are beneficial to full-time employees and the District.

The Board shall provide insurance for the full-time employees of this District eligible to participate in accordance with the following regulation.

The definition of full-time status is included in the following regulation.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Revised revision: August 28, 2001]

LEGAL REFS.: ORC 9.83; 9.90
3313.20--3313.203; 3313.38
3319.141
3917.04
4123.01
Chapter 4141

CERTIFICATED STAFF FRINGE BENEFITS

Eligibility

An employee must be assigned to work a minimum of 20 hours per week as a normal schedule to be eligible for participation in the group insurance programs listed below. Eligibility would be determined at the beginning of employment or at the beginning of each subsequent school year unless a major assignment change was made mid-year. In the case of a mid-year assignment that could change eligibility, the Superintendent would review and determine the eligibility effective date.

Employees eligible for group insurance prior to June 24, 2003, shall be grandfathered based upon the prior eligibility and prorating procedure until such time as their assignment changes.

Group Term Life Insurance

The Board will make available to eligible employees a group life insurance program in the amount of \$25,000 coverage per employee. The premium for the coverage in this program shall be paid by the Board.

Group Insurance for Medical, Dental, and Vision

Employees who did not elect medical, dental and vision insurance when first eligible may enroll during the period of August 15 to September 14 with coverage effective October 1. This is designated the Open Enrollment Period. Employees not electing the coverage at this time will not be eligible again until the following open enrollment period, unless a recognized "change of status" has occurred. Only employees who are in active service and performing their regular job duties are eligible to enroll for coverage during this period. Employees on leave of absence, sick leave, etc., are not eligible, even if they are under contract.

Regular contractual employees leaving the employment of the District in good standing and having fulfilled their contractual obligation in a period of time less than 12 months, shall retain benefits at the same status, on a continuing monthly basis, through the 12th month following the first day of active service (i.e. June, July, August premiums).

Board payment toward the cost of medical, dental, vision, and life insurance for eligible employees shall be determined per board action.

Board payment for employees of fiscal agent relationships (such as Hopewell SERRC) shall be per that board's direction.

On an annual basis, the Board may provide a payment in lieu of health care benefits.

The benefits will differ from those specified above if so indicated in an individual's contract.

(Approval date: September 20, 1994)
(Re-approval date: August 25, 1998)
(Approved revision: August 28, 2001)
(Approved revision: August 27, 2002)
(Approved revision: November 26, 2002)
(Approved amendment: June 24, 2003)
(Approved update: August 24, 2004)
(Approved update: August 23, 2005)
(Approved update: November 22, 2005)
[Approved Amendment: July 25, 2006]

CERTIFICATED STAFF LEAVES AND ABSENCES

The Board will provide a plan for considering leaves and absences for its staff members in accordance with the Ohio Revised Code and Board policies. A leave of absence is a period of extended absence from duty by a staff member for which written request has been made and the Board has granted formal approval.

Compensation, if any, during leaves of absence will depend upon the type of leave. Deductions will be made in salaries for absence in accordance with regulations developed by the administration and approved by the Board.

When group insurance policy permits, an employee may continue to participate in Board-approved insurance programs, provided that the employee pays the entire premium for these benefits. Refer to Family Medical Leave Act for exceptions.

A staff member will terminate his/her affiliation with the Board if, at the expiration of the specified period of leave, he/she declines the position that is offered to him/her. An employee will be granted the same contract status held on the date on which the leave began when he/she returns to duty if the contract has not expired during the period of the leave of absence.

Full-time status as it applies to the regulation for this policy shall be defined as an employee who works 1,080 hours or more per contracted year.

Adoption date:	September 20, 1994
Re-adoption date:	May 26, 1998
Revised revision:	January 22, 2002
Revised revision:	June 23, 2009

LEGAL REFS.:	Family and Medical Leave Act; 29 USC 2611 et seq. ORC 124.39 3313.20; 3313.211 3319.08; 3319.09; 3319.13; 3319.131; 3319.14; 3319.143 Uniformed Services Employment and Reemployment Rights Act (USERRA)
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CERTIFICATED STAFF LEAVES AND ABSENCES

Unrequested Leaves of Absence

It is the policy of the Board to protect the school children of this District from the influence of unfit employees.

The Board reserves the right to place an employee on unrequested leave of absence for physical or mental disability to perform assigned duties.

In the case of an employee who, in the opinion of the Superintendent, is unfit to work in this District by reason of physical or mental condition, the employee will be offered the opportunity for a hearing which shall be conducted in accordance with law governing termination hearings.

If an employee fails to overcome the Superintendent's recommendation, or fails to request an appearance before the Board within the time allowed, the Board shall order the employee to submit to an appropriate examination by:

1. a physician designated and recompensed by the Board;
2. a physician or institution of the employee's choice and at the employee's expense or when the physician designated by the Board disagrees with the physician designated by the employee, the two physicians shall agree in good faith on a third impartial physician who shall examine the employee and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties. The expenses of a third examination shall be borne equally by both parties.

If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on leave of absence until proof of recovery, satisfactory to the Board, is furnished.

Should an employee refuse to submit to the examination requested by the Board and the employee has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the employee to disciplinary action which may include the institution of procedures for a termination of contract.

Sick Leave

The Board recognizes its statutory duty to pay employees of this District in full for days when they are absent from work for reasons of personal disability or pregnancy, and illness, injury or death in the employee's immediate family.

All employees of the District eligible for sick leave not otherwise covered by the terms of a negotiated agreement shall receive 15 such sick leave days annually at the rate of one and one-quarter days a month. Unused sick leave shall be cumulative up to the number of work days specified in the employees contract, not to exceed 230 days. Regular part-time employees shall be entitled to sick leave and may be proportioned to the percentage of full-time.

the employment contract, not to exceed 230 days which any new employee has acquired in another position of public service in Ohio, provided that the last termination of such service shall have been within the last 10 years.

Transfer in of hours shall be converted to days based upon current assignment.

New employees shall be credited with five days sick leave in advance which shall be part of the 15 days that can be accumulated for the year.

1. Use of Sick Leave – Sick leave may be used for the following purposes and must have the approval of the Superintendent.
 - A. For absence of the employee due to personal illness, injury, pregnancy, or exposure to a contagious disease which could be communicated to other employees or to students;
 - B. For absence of the employee due to illness or injury of someone in the employee's immediate family. In this section, the employee's immediate family is defined to mean a member of the immediate family of the employee residing in the home of said employee and shall also include the employee's parents, brother, sister, son or daughter, if not residing with the employee. The maximum number of days granted under this section shall be five. The exact number of days granted under this section shall be determined by the circumstances, but more than five days requires Superintendent, or Designee, approval; or
 - C. For absence due to death in the immediate family of an employee. In this section, the immediate family of an employee is defined to mean the father, mother, brother, sister, son, daughter, husband, wife, grandmother, grandfather, father-in-law, mother-in-law, brother-in-law, or sister-in-law, and any other relative of the employee as approved by the Superintendent. The exact number of days granted shall be determined by the family relationship and the circumstances surrounding the death, but more than five days requires Superintendent, or Designee, approval. The maximum number of days granted under this section shall be five.
2. Verification of Sick Leave – An employee requesting use of sick leave shall furnish a written signed statement to justify the use of sick leave when such leave is in excess of 15 days. The filing, by an employee, of any willfully false statement concerning the cause or duration of an absence shall be considered by the Board as grounds for suspension or dismissal.
3. Eligibility for Sick Leave – A sick leave of absence shall commence when the employee or agent, if the employee is sufficiently disabled, reports the absence.

A sick leave day, once commenced, may be reinstated as a working day only with the approval of the Superintendent or designee.

Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a concerted work stoppage, or has engaged in any activity which would raise doubts regarding the validity of the sick leave request.

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File: GCBD-R

4. Records of Sick Leave – The personnel records of this District shall show the attendance of each Southern Ohio Educational Service Center Governing Board, Wilmington, Ohio

employee, and such days as that employee may be absent shall be recorded with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each employee.

The Superintendent shall submit to the Board the names of those employees absent for noncompensable cause, whose claim for sick leave pay cannot be justified, or whose time off has been prolonged.

5. Retirement Compensation – Upon retirement, an employee may be compensated a portion of his/her unused sick leave in accordance with Board policy on severance pay.

Sick and Extended Leave for Pregnancy

The Board shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this District whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery. Such provisions shall be governed by considerations for the health of employee, the need for continuity in classroom instruction and school operations, and the maintenance of a qualified District staff.

The Board reserves the right to specify the point at which such leave shall commence, the length of time for which leave shall continue after the disabling event and the conditions of pay during such leave. The Board shall require disclosure of anticipated disability and the continuing certification of an employee's fitness to perform duties thereafter. The use of sick leaves for pregnancy shall not extend beyond six weeks after delivery unless the absence is certified as medically necessary by the employee's physician.

1. Use of Extended Leave

- A. If request is made in writing prior to childbirth, employees will be granted a leave of absence without pay due to pregnancy. The leave of absence will not extend beyond the current school year in which it is given and in which childbirth takes place.
- B. If complications arise and an extension of leave of absence is requested through a doctor's statement, it will be granted.
- C. If extended leave is used, it is the employees' responsibility to convert her medical and other insurance coverage to a direct payment plan which shall be carried at her cost.
- D. Provisions of the Family Medical Leave will be met as per the law.

Uncompensated Leave

The Board recognizes that in certain instances an employee may wish extended leave for personal reasons and that the District could benefit from the return of said employee. For that purpose, the Board will promulgate policy for the award of uncompensated leaves of absence for reasons other than those specified by statute.

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File: GCBD-R

The Board reserves the right to specify the conditions under which uncompensated leave may be taken.

1. Purpose – uncompensated leave may be taken for the following purposes:

Southern Ohio Educational Service Center Governing Board, Wilmington, Ohio

- A. Study;
 - B. Travel;
 - C. Special work assignment;
 - D. Public service commitment; and
 - E. Restoration of health.
2. Application – request for uncompensated leave shall be made to the Superintendent at least three weeks in advance of the desired start date, unless extenuating circumstances apply. All applications are subject to final approval by the Superintendent.
 3. Period of Leave – an uncompensated leave may be granted for a period of one semester or less.

Personal Leave

The Board shall, pursuant to the provisions of this policy, provide for an employee's absence for personal necessity.

The Board reserves the right to specify within the limits of law, the manner of proof of personal necessity, the type of situations in which such leave will be permitted, and the total number of days which may be used in any school year for personal leave.

Up to three full days of personal leave with pay may be used, if approved by the Superintendent, each contract year by full-time employees. Personal leave is not cumulative. Regular part-time employees shall be entitled to personal leave and may be proportioned to the percentage of full-time.

Personal leave days may be used for personal obligations that are necessary and compelling which involve family events, community events, business transactions or legal transactions, subject to the following conditions:

1. Request shall be in writing on a prescribed form which will include a check list for stating reasons, as well as a section for making necessary comments.
2. Request shall be presented to the Superintendent at least three school days in advance, except in the event of an emergency.
3. Day(s) shall not be used preceding or following school or legal holidays.
4. Day(s) shall not be used in a manner so as to project a poor image of the employee to the schools or communities.
5. Day(s) shall not be used when a regularly scheduled office meeting or previously announced office meeting has been called.
6. Day(s) shall not be used for vacation or recreation.

7. The number of persons granted personal leave for any one day will be limited by the demands of the Educational Service District as determined by the Superintendent.

8. Scheduled daily assignments shall be adjusted by the employee and confirmed by the Superintendent in advance of the day requested.

Jury Duty

The Board prefers that all employees accept a call to jury duty only when schools are not in session. For those employees who feel that jury duty would be more beneficial to their school assignments if accepted when school is in session, the Board will insure against loss of pay.

Should an employee be called for jury duty, he/she shall report same to the building principal or Superintendent who will review the employee's exempt status.

Employees who choose to serve will not be penalized in any way for doing so. They will receive full pay, if they endorse the check received from the court or pay the amount shown on their record slip less travel allowance within 10 days of return from jury duty.

The time spent on jury duty will count as time on the job. Employees must submit to their supervisor a record from the county of the number of days served.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

(Revision approved: September 26, 2000)

(Revised revision date: January 22, 2002)

[Update: July 25, 2006]

CERTIFICATED STAFF VACATIONS AND HOLIDAYS

Vacations

Only full-time 11-month and 12-month employees of the Board shall be entitled to accrue vacation leave with pay. To be eligible for vacation leave with pay, employees shall have an assignment of 225 days or more with at least 7 hours per day, including any eligible holidays. Vacation leave will accrue as follows unless otherwise specified in an employee’s contract:

10 years of service or less	Monthly accrual of .8333 (equivalent to 10 days per year)
11 years-20 years of service	Monthly accrual of 1.25 (equivalent to 15 days per year)
After 20 years of service	Monthly accrual of 1.666 (equivalent to 20 days per year)

All vacation accumulated at the end of annual contract must be used by December 31 or be removed from accumulation. Any eligible employee who leaves the employ of the Board in good standing at any time prior to the end of the contract year shall receive pay of any unused, accrued vacation times their per diem rate (i.e. annual salary divided by assigned days or hourly rate times hours assigned per day). Employees are encouraged to use vacation in lieu of payout.

Holidays

The Board will observe those days declared by statute to be holidays and any such other days enumerated in this policy.

July	Independence Day	January	New Year’s Day
September	Labor Day	January	Martin Luther King Day
November	Thanksgiving	February	President’s Day
December	Christmas	May	Memorial Day

Only full-time 10-month, 11-month and 12-month employees of the Board shall be entitled to paid holidays. To be eligible for paid holidays, employees shall have an assignment of 197 days or more, excluding eligible holidays, with at least 7 hours per day. In order to qualify for pay for such holidays, the employee must have accrued earnings on the work day before and the work day after the holiday based upon the district adopted work calendar or be properly excused on those days.

[Adoption date: September 20, 1994]
 [Re-adoption date: May 26, 1998]
 [Approved revision: November 27, 2001]
 [Approved Amendment: July 25, 2006]

LEGAL REFS.: ORC 3313.20; 3313.63

CERTIFICATED STAFF RECRUITING

Because the quality of the staff hired by the Board is the major component of an effective, productive educational program, the Board and the administration of the District will make efforts to attract and retain qualified personnel.

The Board expects the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and the individual schools and to recruit the best qualified candidates to recommend for employment.

The search for teachers and other certificated employees will extend to a wide variety of educational institutions and geographical areas. The search will take into consideration the characteristics of the community and the school system as well as the need for staff members from various backgrounds and with differing levels of experience.

Recruitment procedures will include posting all openings so that the talents and potential of individuals already employed by the school system will not be overlooked. Any current employee may apply for any position for which he/she has certification and meets other stated requirements. All candidates shall be considered on the basis of their merits, qualifications and the needs of the District.

The appropriate building administrator will be expected to be involved in recruiting and interviewing. The Superintendent's recommendation will reflect, although not necessarily concur with, that administrator's appraisal of the candidate's qualifications.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: OAC 3301-35-03

CERTIFICATED STAFF HIRING

The Board recognizes that it is vital to the successful operation of local district schools, that teaching positions created by the local board be filled with qualified and competent personnel.

The Board, in cooperation with local school district personnel, will organize an appropriate program of recruitment and a procedure for receiving the applications of persons interested in serving as teachers, supervisors, or administrators in the schools under the auspices of this Board. Applications shall be at the disposal of administrators from the local school districts as they seek qualified persons to fill vacancies in their respective staffs.

Employees of local school districts within this county shall not be interviewed for employment by the administration of the Board without first contacting the local administrator. Where the initiative to apply for employment is taken by a local school employee, consideration of such application shall be held to be ethical, but an interview with the applicant shall not be conducted until the local administrator has been notified of such application.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Approved Amendment: October 24, 2006]

LEGAL REFS.: ORC 3313.53
3319.02; 3319.07; 3319.11; 3319.21; 3319.22-3319.31
3323.06
OAC 3301-35-03(A)

CROSS REFS.: AC, Nondiscrimination
GBA, Equal Opportunity Employment

CERTIFICATED STAFF HIRING
(TEACHERS)

The Board recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly qualified and competent personnel.

The Board shall approve the employment, fix the compensation and establish the term of employment for each person employed by this District. Such approval shall be given only to those candidates for employment recommended by the Superintendent. All applications for employment shall be referred to the Superintendent or designee.

Relatives of Board members may be employed by the Board, in accordance with the Board's policy on nepotism.

The Superintendent shall seek candidates for employment who possess the following attributes:

1. successful educational training and experience;
2. scholarship and intellectual vigor;
3. good character;
4. appreciation of children;
5. good health and physical efficiency and
6. emotional and mental maturity.

The Superintendent or designee shall conduct all recruiting activities, be aided in recruitment and screening activities by a committee of appropriate staff members and seek such recommendations from former employers and others as may be of assistance in assessing the candidates' qualifications. Such records shall be retained confidentially and for official use only.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

[Update: October 24, 2006]

CERTIFICATED STAFF HIRING
(ADMINISTRATORS)

The Board recognizes that it is vital to the successful operation of the District, that administrative positions created by the Board be filled with highly qualified and competent personnel.

The Board shall approve the employment, fix the compensation and establish the term of employment for each administrator employed by this District. Such approval shall be given only to those candidates for employment recommended by the Superintendent. For purposes of this policy, administrative positions shall be deemed to be Superintendent, Assistant Superintendent, Supervisors, Directors, and other employees hired under Section 3319.02 of the Ohio Revised Code.

The Superintendent shall seek candidates of good moral character for employment who possess the following attributes:

1. successful educational training and experience;
2. scholarship and intellectual vigor;
3. appreciation of children;
4. good health and physical efficiency and
5. emotional and mental maturity.

He/She shall, in the conduct of recruiting activities, generally seek candidates throughout the county and from this state and surrounding states.

Staff vacancies which represent opportunities for professional advancement or diversification shall be made known to District personnel so that they may apply for such positions.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

[Update: October 24, 2006]

PART-TIME AND SUBSTITUTE CERTIFICATED STAFF EMPLOYMENT

The Board recognizes its responsibility to procure the services of substitute teachers in order to prevent the abatement of the operation of the schools as a result of the absence of regular personnel.

The Board shall approve annually the names of potential substitute personnel and the positions in which they may substitute, except that additional names may be duly added to the list of substitute teachers by the Board during the school year, and may employ substitute teachers for terms not to exceed one year for assignment as services are required to replace temporarily absent regular teachers and fill new positions. Such assignment of substitute teachers may be terminated when their services are no longer required.

The Superintendent may select from an approved list, substitutes to work temporarily on a day-by-day basis in the place of an absent teacher who has an entitlement to a regular position approved by the Board. A substitute employed on a day-to-day basis shall be entitled only to the wages approved by the Board on a per diem basis and to no other benefits unless otherwise specified in the Ohio Revised Code.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Update: October 24, 2006]

LEGAL REFS.: ORC 3317.13
3319.08; 3319.10; 3319.13

CERTIFICATED STAFF ASSIGNMENTS AND TRANSFERS

The appropriate placement of a qualified and competent staff is essential to the successful functioning of the District.

The Superintendent shall assign certificated personnel when such assignments involve:

1. a transfer from one building to another or one District service to another;
2. a move to a position requiring certification other than that required for the employee's present position or
3. a reduction in force.

All other transfers shall be approved by the Superintendent in accordance with law.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3319.01; 3319.02; 3319.12
OAC 3301-35-03(A)

CERTIFICATED STAFF TIME SCHEDULES

Administrators

The nature of the duties and responsibilities of administrators and supervisors will require their hours of work to vary and extend as necessary to fulfill the requirements of their positions. The work year for administrators will be established individually through their contracts.

Teachers

Efforts will be made by the administration to provide a uniform work day for teachers. The work day for teachers shall be established by the Board.

The work year for teachers will be established by the Board's adoption of the school calendar.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3313.48; 3313.481; 3313.483
3319.111

OAC 3301-35-02(B) (11; 12; 13); 3301-35-03(A)(12)

CERTIFICATED STAFF DEVELOPMENT OPPORTUNITIES

Inservice Programs

As part of its objective to furnish professional leadership and consulting services to local districts in areas that they are unable to finance or staff independently, the ESC shall develop in-service programs for continuous staff development and respond to the professional development needs as they arise in the schools of this county.

The Superintendent shall be responsible for the development of in-service programs and services and shall:

1. continually assess the needs of local districts;
2. devise programs and services based on local district needs;
3. determine staff requirements for meeting local district needs and
4. evaluate the effectiveness of the programs and services offered by the County Office.

Professional Meetings

All employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties through attendance at professional meetings.

For purpose of this policy, a professional meeting shall be defined as:

1. any meeting that is related to the activities, duties or responsibilities of Board employees as determined by the Superintendent or
2. a meeting through which direct value can be derived for the person in attendance for later use in the performance of District duties.

Teachers shall be excused from the performance of their duties and shall receive compensation during the days they are excused, for attendance at the following professional meetings:

1. conferences involving other personnel from the District, county, state, region or nation and
2. committees drawing personnel from such sources.

The following conditions must be met by an employee attending professional meetings:

1. All requests to attend professional meetings shall be made 10 days in advance of the meeting for which approval to attend is sought.

2. Determination of appropriateness and authority to grant permission for attendance at a meeting will rest with the Superintendent, except that permission to attend professional meetings outside of the State of Ohio shall be submitted to the Board for approval.
3. The Superintendent has the authority when he/she considers the meeting to be of sufficient importance, to request representation from the staff to attend a meeting.
4. The professional meeting to be attended must be related to the work of the employee.

Tuition Reimbursement

The Board shall provide \$7,000 annually for employees for tuition reimbursement for coursework that is related to the employee's job responsibilities. Reimbursement shall not exceed 50% of the cost of tuition. If requested reimbursement exceeds available funds, reimbursement shall be dispersed equally among applicants up to 50% of the cost of tuition.

\$2,500 shall be available for fall courses (courses completed prior to December 31), \$2,500 shall be available for winter/spring courses (courses completed prior to June 15), and \$2,000 shall be available for summer courses (courses completed by September 10). Unused money from the fall and winter/spring courses shall be added to the money available during the summer. Unused money from the summer courses shall not be carried forth to the following year. Unused money from the summer courses shall be redistributed, if less than 50% was paid during the fall and winter/spring session.

For certified employees, only course offerings from a four-year college or university, or extension thereof, will be accepted unless approved by the superintendent.

Application for reimbursement shall be made to the superintendent prior to starting the course work. Late application may be cause to deny approval for reimbursement.

Employees who qualify shall receive reimbursement either the second pay in October or the second pay in February for work completed during the previous summer session or previous semester. Payments for spring/winter semester and summer sessions are contingent upon the member returning to the district for another year of service. Employment shall continue through October 15 to be considered as "returning to the district for another year of service."

Proof of credit (transcript) and receipt of payment shall be submitted to the superintendent two weeks prior to payment. Late submission of either proof of payment or receipt of payment shall delay reimbursement until the following payment period (second pay in October or the second pay in February). Such reimbursement shall be the lesser of eligible reimbursement for the originally scheduled payment period and the eligible reimbursement when payment occurs.

Reimbursement will not be made for grades lower than "B." Reimbursement will be made for successfully completed courses taken for "credit" (if ungraded). No reimbursement will be made when tuition is paid by scholarship, fellowship or grant.

College credits earned by personnel that may qualify them for the next salary bracket must be filed in the office of the superintendent on or before September 15 in order to receive the next salary increment for the current school year.

Tuition reimbursement for fiscal agencies is contingent upon approval of fiscal agency governing board and additional funding by such agency.

[Adoption date: September 20, 1994]
[Re-adoption date: May 26, 1998]
[Re-approval date: September 26, 2000]
[Approved amendment: October 26, 2004]
[Re-approval date: April 26, 2006]
[Update: October 24, 2006]
[Update: November 24, 2009]

LEGAL REFS.: ORC 3313.20
 3315.07
 3319.131
 OAC 3301-35-03

SUPERVISION OF CERTIFICATED STAFF

The improvement of staff performance is an important objective in the maintenance of a sound local system of public education.

The Board shall, as required by law, provide professional supervision services to county local districts and other systems and/or agencies on a contract basis to aid in the improvement of staff performance.

The Board shall employ trained specialists and other personnel necessary for the improvement of instructional operations of the local school systems. Supervision of local staff members by county personnel shall:

1. be on the request of the local administrator;
2. involve the local administrator or his/her delegate;
3. be in accordance with county procedures;
4. be reported to the local district administrator as well as the county administrator or
5. be on the request of the teacher.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

EVALUATION OF CERTIFICATED STAFF
(TEACHERS)

The district shall evaluate all teachers who hold a limited contract or extended limited contract in compliance with the requirements of section 3319.111 of the Ohio Revised Code in any school year in which the board may wish to declare its intention not to re-employ the teacher. This evaluation shall be conducted at least twice in the school year in which the board may wish to declare its intention not to re-employ the teacher. One evaluation shall be conducted and completed not later than the fifteenth day of January and the teacher being evaluated shall receive a written report of the results of this evaluation not later than the twenty-fifth day of January. One evaluation shall be conducted and completed between the tenth day of February and the first day of April and the teacher being evaluated shall receive a written report of the results of this evaluation not later than the tenth day of April.

Evaluations shall be conducted by one or more of the following:

- (1) A person who is under contract with a board of education and holds a certificate or license designated for being a superintendent, assistant superintendent, or principal;
- (2) A person who is under contract with a board of education and holds a certificate or license designated for being a director or a supervisor;

Evaluation procedures include, but are not limited to:

- (1) Criteria of expected job performance in the areas of responsibility assigned to the teacher being evaluated;
- (2) Observation of the teacher being evaluated by the person conducting the evaluation on at least two occasions for not less than thirty minutes on each occasion;
- (3) A written report of the results of the evaluation that includes specific recommendations regarding any improvements needed in the performance of the teacher being evaluated and regarding the means by which the teacher may obtain assistance in making such improvements.

This policy does not apply to any teacher employed as a substitute for less than one hundred twenty days during a school year.

[Adoption date: September 20, 1994]
[Re-adoption date: May 26, 1998]
(Revised revision: November 26, 2002)
[Update: October 24, 2006]

LEGAL REFS.: ORC 3319.01; 3319.11; 3319.111; 3319.16; 3319.161
OAC 3301-35-03(A)(8)

EVALUATION OF CERTIFICATED STAFF
(ADMINISTRATORS)

Each assistant superintendent, principal, assistant principal, and other administrator shall be evaluated annually through a written evaluation process conducted by the superintendent or designee.

In order to provide time to show progress in correcting the deficiencies identified in the evaluation process, the evaluation process shall be completed as follows:

(1) In any school year that the employee's contract of employment is not due to expire, at least one evaluation shall be completed in that year. A written copy of the evaluation shall be provided to the employee no later than the end of the employee's contract year as defined by the employee's annual salary notice.

(2) In any school year that the employee's contract of employment is due to expire, at least a preliminary evaluation and at least a final evaluation shall be completed in that year. A written copy of the preliminary evaluation shall be provided to the employee at least sixty days prior to any action by the board on the employee's contract of employment. The final evaluation shall indicate the superintendent's intended recommendation to the board regarding a contract of employment for the employee. A written copy of the evaluation shall be provided to the employee at least five days prior to the board's acting to renew or not renew the contract.

The evaluation procedure shall not create an expectancy of continued employment and shall not prevent a board from making the final determination regarding the renewal or non-renewal of the contract of any assistant superintendent, principal, assistant principal, or other administrator.

[Adoption date: September 20, 1994]
[Re-adoption date: May 26, 1998]
(Revised revision: November 26, 2002)

LEGAL REFS.: ORC 3319.02; 3319.16
OAC 3301-35-03(A)(8)

REDUCTION IN CERTIFICATED STAFF WORK FORCE

It is the responsibility of the Board to provide the staff necessary for the implementation of the educational program of the District and the operation of the schools and to do so efficiently and economically.

The Board reserves the right to abolish positions in the District and to reduce the staff whenever reasons of decreased enrollment of students, return to duty of regular teachers after leaves of absence, suspension of schools, territorial changes affecting the District or other good cause warrants. In all cases, law shall govern the transfer and dismissal of employees affected by the abolishment of positions.

The Superintendent shall develop rules for the reduction of staff which ensure the following:

1. The efficiency and effectiveness of District organization and staffing patterns shall be under continuing review, and recommendations for eliminating, creating and re-allocating duties and positions shall be presented for Board consideration when the Superintendent considers such actions to be in the best interest of the District.
2. No person shall be employed by this Board to perform duties for which he/she is not properly certified except in accordance with law.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REF.: ORC 3319.17

RESIGNATION OF CERTIFICATED STAFF MEMBERS

Each certificated employee on limited contract in this District shall have agreed to a mutually satisfactory term of service clause. It is the purpose of the Board to respect that clause and it is the expectation of the Board that the employee will do likewise.

A holder of a valid contract may resign at any time prior to July 10, otherwise an official release must be granted by the Board except as specified under State statute for central office supervisors.

A certificated employee desiring to resign should do so in writing as early as possible.

A resignation may be withdrawn by the person submitting it at any time prior to the time the Board has taken action on it.

A certificated person's resignation, which is accepted by the Board, terminates such contract held by the individual and such resignation may not then be rescinded.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3319.02; 3319.15

SEVERANCE PAY

At the time of retirement, a severance amount calculated by a prescribed formula applied to the employee's unused sick leave and daily rate of pay at the time of retirement will be granted to certificated staff employees in compliance with State law.

Nonretirement severance pay may be provided if included in employees employment contract.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 9.90
124.39

RETIREMENT SEVERANCE PAY

In accordance with statute, all employees who present evidence of retirement from active service with the Board shall be granted severance pay for their accrued but unused sick leave days. This policy specifies the manner for so doing.

The Board authorizes the payment to a retiring employee of one-fourth of his/her unused sick leave days to a maximum of 35 days under the conditions hereinafter specified unless an employees employment contract provides for additional days of severance pay.

For purposes of this policy, "retirement" means retirement under State Teachers Retirement System and does not include disability retirement.

In order to qualify for retirement severance pay, an employee shall:

1. have made application within two months following the effective date of retirement;
2. have served 10 or more years of active service covered by STRS with the state or a political subdivision or a combination thereof;
3. if approved, severance pay will be made by the Board in the following manner:
 - A. Payment shall be made no later than 60 days after the application is filed and the employee's retirement is verified to the office of the Superintendent by the retirement system.
 - B. Such payment shall be made only once to an employee.
 - C. Payment shall be based upon the employee's daily rate of base pay based on the days of service at the time of retirement exclusive of overtime or any supplementary pay.
 - D. Payment shall be made upon evidence that the employee has received his/her first check from the retirement system within 120 days from last date of service.

Payment of severance pay shall eliminate all obligations of the employer at the time of retirement from any further payment or restoration of sick leave unused.

Nonretirement Severance Pay

Payment of nonretirement severance pay included in any employment contract will follow the specifications of this regulation as applicable.

RETIREMENT SEVERANCE PAY

In the event of the death of an employee who would have otherwise been eligible for retirement and severance pay, such employee shall be deemed to have made application for severance pay and/or to have retired and terminated this employment on the date immediately preceding the date of death. Payment of the severance pay shall be made to the employee's estate. Payment shall be released to the qualified appointed executor or administrator of the employee's estate in a timely manner.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

(Amendment date: January 25, 2005)

SUSPENSION AND DISMISSAL OF CERTIFICATED STAFF MEMBERS

In the event of an infraction of District rules by an employee, it shall be the policy of the Board to apply the statutes of the state, these policies and the regulations of the District with equal consideration to each staff member.

The Superintendent shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including, where appropriate, verbal warning, written warning, transfer and termination.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.36
3319.02; 3319.11; 3319.16; 3319.161; 3319.17

CROSS REF.: GCP, Certificated Staff Termination of Employment

CLASSIFIED STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the District must participate intelligently and effectively for the benefit of the students. This District will employ classified staff in positions which function to support the educational program. All such positions will be established initially by the Board. For each new position, the Superintendent will develop a job description for approval by the Board.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position may be reduced in event of required staff reduction, only the Board will abolish a position which it has created.

The Superintendent will keep all job descriptions current.

The Board wishes the Superintendent to maintain continuously a comprehensive, coordinated set of job descriptions for certificated and classified positions so as to promote effectiveness, efficiency and economy in the operation of the District staff.

Job descriptions for positions which report directly to this Board shall be defined as policies of the Board.

All other job descriptions shall be defined as regulations of the Superintendent and will be originated and maintained in accordance with the provisions specified in the by-laws of the Board.

Each employee will be provided with a copy of his/her job description at the time of employment and any revisions thereto. Employees will be evaluated in part against their job descriptions. Job descriptions shall be brief, factual, and wherever possible, generically descriptive of similar jobs.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Update: October 24, 2006]

LEGAL REFS.: ORC 124.18
3319.081
OAC 3301-35-03

CLASSIFIED STAFF CONTRACTS AND COMPENSATION PLANS

Contracts

All newly hired, regular classified staff employees, including regular hourly rate and per diem employees, will enter into a written contracts for their employment, which will be for a period of not more than one year. If an employee is rehired at the end of one year, their subsequent contract will be for a period of two years.

After the expiration of the two-year contract, if the contract of an employee is renewed, the employee will receive a continuing contract. The salary provided in the contract may be increased but not reduced unless such reduction is a part of a uniform plan affecting the classified staff employees of the entire District.

Compensation Plans

In determining and developing salary schedules for classified staff other than administrators, the Board will consider the responsibilities of the position, the qualifications needed, past experience of the individual and years of service credit.

The individual salaries for classified staff will be reviewed and established annually by the Board upon the recommendation of the Superintendent.

In compliance with State law, employees will be notified in writing by July 1 of their salary for the ensuing school year.

In order to ensure periodic review of employee financial needs and to ensure uniformity in the compensation of all job classifications, the Board will review salary schedules annually in accordance with law.

Being cognizant of the changing times, the Board will adjust salaries in accordance with law and at such times as deemed prudent and necessary.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC Chapter 124
3317.12
3319.02; 3319.081-3319.083; 3319.088

CROSS REF.: GDB, subcodes (relating to compensation)

CLASSIFIED STAFF SALARY SCHEDULES

The Board will endeavor to provide salary schedules which will:

1. adequately provide for the retention of those classified staff employees who are rendering satisfactory and efficient service in the school system;
2. encourage and stimulate classified staff employees to improve the quality of their work by granting regular salary increments and
3. provide employees with a financial projection by indicating the salary which may be provided by a salary schedule.

Such schedules will take into account the qualifications required, the responsibilities of the position and work experience. Initial placement on the schedule may take into consideration the employee's previous experience.

Whether employed for the school year or for a full 12-month year, an employee must serve two-thirds of his/her particular work year in order to qualify for the yearly increment on a salary schedule.

In compliance with law, employees will be notified in writing by July 1 of their salaries for the ensuing year.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3317.12
3319.081; 3319.082; 3319.083; 3319.088

CLASSIFIED STAFF SUPPLEMENTARY PAY PLANS

The Board recognizes that it may be necessary occasionally for classified staff employees to work more than 40 hours during a given work week. The Superintendent or his/her designee will establish regulations governing overtime provisions.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: Fair Labor Standards Act
ORC 124.18
3319.086

CROSS REF.: KG, Community Use of School Facilities (Equal Access)

CLASSIFIED STAFF SUPPLEMENTARY PAY PLANS

Authorization for overtime work must receive prior written approval from the employee's direct supervisor and/or superintendent. Submission of time sheets or documentation for overtime pay or compensatory time off shall be provided to the fiscal office within thirty days of accrued overtime.

Where non-teaching school employees, who are determined to be non-exempt as per the Fair Labor Standards Act of 1938 (FLSA), are required by their responsible administrative superiors to work in excess of forty hours in any seven day period or to work on days declared by the employing board of education to be school holidays, they shall be compensated for such overtime worked at not less than their regular rate of pay, or be granted compensatory time off. As used in this section, "non-teaching school employees" does not include any person employed in an administrative or supervisory capacity in connection with the services rendered by non-teaching school employees. The seven day period, or standard work week, shall commence on Sunday and end on Saturday throughout the fiscal year.

The Board shall pay an employee for overtime at a wage rate of one and one-half times the employee's wage rate for hours worked in excess of forty hours in one workweek, or be granted compensatory time off at one and one-half times the hours worked in excess of forty hours in one workweek.

Such payment or compensatory time off shall comply with the manner and methods provided in and subject to the exemptions of the FLSA.

[Adoption date: May 24, 2005]

LEGAL REFS: Fair Labor Standards Act of 1938

CLASSIFIED STAFF FRINGE BENEFITS

Benefits in addition to basic salary are recognized by the Board as an integral part of the total compensation plan for staff members.

The benefits extended to eligible classified staff employees will be designed to promote their present and future economic security and to provide the financial incentives for skill development that will benefit the District.

Group Insurance

The Board shall provide insurance for the full-time employees of this District eligible to participate in accordance with the following regulation.

The definition of full-time status is included in the following regulation.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Revised revision: August 28, 2001]

LEGAL REFS.: ORC 9.83; 9.90
3313.20-3313.211
3319.084-3319.087; 3319.141; 3319.142
3917.04
4123.01
4141.29; 4141.291

CLASSIFIED STAFF FRINGE BENEFITS

Eligibility

An employee must be assigned to work a minimum of 20 hours per week as a normal schedule to be eligible for participation in the group insurance programs listed below. Eligibility would be determined at the beginning of employment or at the beginning of each subsequent school year unless a major assignment change was made mid-year. In the case of a mid-year assignment that could change eligibility, the Superintendent would review and determine the eligibility effective date.

Employees eligible for group insurance prior to June 24, 2003, shall be grandfathered based upon the prior eligibility and proration procedure until such time as their assignment changes.

Group Term Life Insurance

The Board will make available to eligible employees a group life insurance program in the amount of \$25,000 coverage per employee. The premium for the coverage in this program shall be paid by the Board.

Group Insurance for Medical, Dental, and Vision

Employees who did not elect medical, dental and vision insurance when first eligible may enroll during the period of August 15 to September 14 with coverage effective October 1. This is designated the Open Enrollment Period. Employees not electing the coverage at this time will not be eligible again until the following open enrollment period, unless a recognized “change of status” has occurred. Only employees who are in active service and performing their regular job duties are eligible to enroll for coverage during this period. Employees on leave of absence, sick leave, etc., are not eligible, even if they are under contract.

Regular contractual employees leaving the employment of the District in good standing and having fulfilled their contractual obligation in a period of time less than 12 months, shall retain benefits at the same status, on a continuing monthly basis, through the 12th month following the first day of active service (i.e. June, July, August premiums).

Board payment toward the cost of medical, dental, vision, and life insurance for eligible employees shall be as follows until amended by the Board:

<u>Life</u>		<u>Medical</u>	<u>Dental</u>	<u>Vision</u>
100% Term	Single Plan	\$345.94	\$21.84	\$ 6.20
Coverage	Family Plan	\$873.46	\$55.24	\$14.40

Board payment for employees of fiscal agent relationships (such as Hopewell SERRC, Hopewell JOG) shall be per that governing board’s direction.

On an annual basis, the Board may provide a payment in lieu of health care benefits.

The benefits will differ from those specified above if so indicated in an individual's contract.

(Approval date: September 20, 1994)
(Re-approval date: August 25, 1998)
(Approved revision: August 28, 2001)
(Approved revision: August 27, 2002)
(Approved revision: November 26, 2002)
(Approved amendment: June 24, 2003)
(Approved update: August 24, 2004)
(Approved update: August 23, 2005)
(Approved update: November 22, 2005)

CLASSIFIED STAFF LEAVES AND ABSENCES

Leaves and absences granted to the classified staff will be for the purposes of helping them maintain their physical health, taking care of family, and other personal emergencies and discharging important and necessary obligations.

All request for long-term leaves of absence will be submitted by the Superintendent, together with his/her recommendations, to the Board for its action.

Full-time status as it applies to the regulation for this policy shall be defined as an employee who works 1,080 hours or more per contracted year.

Adoption date: September 20, 1994

Re-adoption date: May 26, 1998

Revised revision: January 22, 2002

Revised revision: June 23, 2009

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
 ORC 124.38-124.39
 3313.20; 3313.211
 3319.13; 3319.141; 3319.143
 Uniformed Services Employment and Reemployment Rights Act
 (USERRA)

CLASSIFIED STAFF LEAVES AND ABSENCES

Unrequested Leaves of Absence

It is the policy of the Board to protect the school children of this District from the influence of unfit employees.

The Board reserves the right to place an employee on unrequested leave of absence for physical or mental disability to perform assigned duties.

In the case of an employee who, in the opinion of the Superintendent, is unfit to work in this District by reason of physical or mental condition, the employee will be offered the opportunity for a hearing which shall be conducted in accordance with law governing termination hearings.

If an employee fails to overcome the Superintendent's recommendation, or fails to request an appearance before the Board within the time allowed, the Board shall order the employee to submit to an appropriate examination by:

1. a physician designated and recompensed by the Board;
2. a physician or institution of the employee's choice and at the employee's expense or when the physician designated by the Board disagrees with the physician designated by the employee, the two physicians shall agree in good faith on a third impartial physician who shall examine the employee and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties. The expenses of a third examination shall be borne equally by both parties.

If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on leave of absence until proof of recovery, satisfactory to the Board, is furnished.

Should an employee refuse to submit to the examination requested by the Board and the employee has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the employee to disciplinary action which may include the institution of procedures for a termination of contract.

Sick Leave

The Board recognizes its statutory duty to pay employees of this District in full for days when they are absent from work for reasons of personal disability or pregnancy, and illness, injury or death in the employee's immediate family.

All employees of the District eligible for sick leave not otherwise covered by the terms of a negotiated agreement shall receive 15 such sick leave days annually at the rate of one and one-quarter days a month. Unused sick leave shall be cumulative up to the number of work days specified in the employees contract, not to exceed 230 days. Regular part-time employees shall be entitled to sick leave and may be proportioned to the percentage of full-time.

The Board shall accept by transfer the accumulated sick leave up to the number of work days specified in the employment contract, not to exceed 230 days which any new employee has acquired in another position of public service in Ohio, provided that the last termination of such service shall have been within the last 10 years.

Transfer in of hours shall be converted to days based upon current assignment.

New employees shall be credited with five days sick leave in advance which shall be part of the 15 days that can be accumulated for the year.

1. Use of Sick Leave – Sick leave may be used for the following purposes and must have the approval of the Superintendent.
 1. For absence of the employee due to personal illness, injury, pregnancy, or exposure to a contagious disease which could be communicated to other employees or to students;
 2. For absence of the employee due to illness or injury of someone in the employee's immediate family. In this section, the employee's immediate family is defined to mean a member of the immediate family of the employee residing in the home of said employee and shall also include the employee's parents, brother, sister, son or daughter, if not residing with the employee. The maximum number of days granted under this section shall be five. The exact number of days granted under this section shall be determined by the circumstances, but more than five days requires Superintendent approval; or
 3. For absence due to death in the immediate family of an employee. In this section, the immediate family of an employee is defined to mean the father, mother, brother, sister, son, daughter, husband, wife, grandmother, grandfather, father-in-law, mother-in-law, brother-in-law, or sister-in-law, and any other relative of the employee as approved by the Superintendent. The exact number of days granted shall be determined by the family relationship and the circumstances surrounding the death, but more than five days requires Superintendent approval. The maximum number of days granted under this section shall be five.
2. Verification of Sick Leave – An employee requesting use of sick leave shall furnish a written signed statement to justify the use of sick leave when such leave is in excess of 5 consecutive days. The filing, by an employee, of any willfully false statement concerning the cause or duration of an absence shall be considered by the Board as grounds for suspension or dismissal.
3. Eligibility for Sick Leave – A sick leave of absence shall commence when the employee or agent, if the employee is sufficiently disabled, reports the absence.

A sick leave day, once commenced, may be reinstated as a working day only with the approval of the Superintendent or designee.

Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a concerted work stoppage, or has engaged in any activity which would raise doubts regarding the validity of the sick leave request.

4. Records of Sick Leave – The personnel records of this District shall show the attendance of each employee, and such days as that employee may be absent shall be recorded with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each employee.

The Superintendent shall submit to the Board the names of those employees absent for noncompensable cause, whose claim for sick leave pay cannot be justified, or whose time off has been prolonged.

5. Retirement Compensation – Upon retirement, an employee may be compensated a portion of his/her unused sick leave in accordance with Board policy on severance pay.

Sick and Extended Leave for Pregnancy

The Board shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this District whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery. Such provisions shall be governed by considerations for the health of employee, the need for continuity in classroom instruction and school operations, and the maintenance of a qualified District staff.

The Board reserves the right to specify the point at which such leave shall commence, the length of time for which leave shall continue after the disabling event and the conditions of pay during such leave. The Board shall require disclosure of anticipated disability and the continuing certification of an employee's fitness to perform duties thereafter. The use of sick leaves for pregnancy shall not extend beyond six weeks after delivery unless the absence is certified as medically necessary by the employee's physician.

1. Use of Extended Leave

- A. If request is made in writing prior to childbirth, employees will be granted a leave of absence without pay due to pregnancy. The leave of absence will not extend beyond the current school year in which it is given and in which childbirth takes place.
- B. If complications arise and an extension of leave of absence is requested through a doctor's statement, it will be granted.
- C. If extended leave is used, it is the employees' responsibility to convert her medical and other insurance coverage to a direct payment plan which shall be carried at her cost.
- D. Provisions of the Family Medical Leave will be met as per the law.

Uncompensated Leave

The Board recognizes that in certain instances an employee may wish extended leave for personal reasons and that the District could benefit from the return of said employee. For that purpose, the Board will promulgate policy for the award of uncompensated leaves of absence for reasons other than those specified by statute.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken.

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1. Purpose – uncompensated leave may be taken for the following purposes:
 - A. Study;
 - B. Travel;
 - C. Special work assignment;
 - D. Public service commitment; and
 - E. Restoration of health.
2. Application – request for uncompensated leave shall be made to the Superintendent at least three weeks in advance of the desired start date, unless extenuating circumstances apply. All applications are subject to final approval by the Superintendent.
3. Period of Leave – an uncompensated leave may be granted for a period of one semester or less.

Personal Leave

The Board shall, pursuant to the provisions of this policy, provide for an employee's absence for personal necessity.

The Board reserves the right to specify within the limits of law, the manner of proof of personal necessity, the type of situations in which such leave will be permitted, and the total number of days which may be used in any school year for personal leave.

Up to three full days of personal leave with pay may be used, if approved by the Superintendent, each contract year by full-time employees. Personal leave is not cumulative. Regular part-time employees shall be entitled to personal leave and may be proportioned to the percentage of full-time.

Personal leave days may be used for personal obligations that are necessary and compelling which involve family events, community events, business transactions or legal transactions, subject to the following conditions:

1. Request shall be in writing on a prescribed form which will include a check list for stating reasons, as well as a section for making necessary comments.
2. Request shall be presented to the Superintendent at least three school days in advance, except in the event of an emergency.
3. Day(s) shall not be used preceding or following school or legal holidays.
4. Day(s) shall not be used in a manner so as to project a poor image of the employee to the schools or communities.
5. Day(s) shall not be used when a regularly scheduled office meeting or previously announced office meeting has been called.
6. Day(s) shall not be used for vacation or recreation.

7. The number of persons granted personal leave for any one day will be limited by the demands of the Educational Service District as determined by the Superintendent.

8. Scheduled daily assignments shall be adjusted by the employee and confirmed by the Superintendent in advance of the day requested.

Jury Duty

The Board prefers that all employees accept a call to jury duty only when schools are not in session. For those employees who feel that jury duty would be more beneficial to their school assignments if accepted when school is in session, the Board will insure against loss of pay.

Should an employee be called for jury duty, he/she shall report same to the building principal or Superintendent who will review the employee's exempt status.

Employees who choose to serve will not be penalized in any way for doing so. They will receive full pay, if they endorse the check received from the court or pay the amount shown on their record slip less travel allowance within 10 days of return from jury duty.

The time spent on jury duty will count as time on the job. Employees must submit to their supervisor a record from the county of the number of days served.

(Approval date: September 20, 1994)
(Re-approval date: May 26, 1998)
(Revision approved: September 26, 2000)
(Revised revision: January 22, 2002)
[Update: October 24, 2006]

CLASSIFIED STAFF RECRUITING/POSTING OF VACANCIES

The Board intends to have the best qualified people to serve as classified staff personnel.

The recruitment and selection of suitable candidates for positions will be the responsibility of the Superintendent, who will confer with local superintendents and other supervisors before making a selection. An employee may apply for any vacancy for which he/she is qualified.

All appointments to the classified staff will be made by the Superintendent subject to confirmation by the Board. In making these appointments, the Superintendent will carefully observe all pertinent laws as well as any regulations which may be approved from time to time by the Board.

Conditions of employment for classified staff members as well as wages, hours and other benefits will be fixed by the Board upon the recommendation of the Superintendent.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC Chapter 124
3319.04; 3319.081 et seq.
3327.10
4141.29
OAC 3301-35-03(A)

CROSS REFS.: AC, Nondiscrimination
GBA, Equal Opportunity Employment

CLASSIFIED STAFF HIRING

The Board recognizes that it is vital to the successful operation of the District that all positions in the District created by the Board be filled with qualified and competent personnel.

The Board shall approve the employment, fix the compensation and establish the term of employment for each person employed by this District. Such approval shall be given only to those candidates for employment recommended by the Superintendent.

When any recommended candidate has been rejected by the Board, the Superintendent shall make an alternate recommendation.

Relatives of Board members may be employed by the Board, provided the member of the Board involved does not participate in any way in the discussion or vote.

The employment of nonteaching employees prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the District. Retroactive employment shall be recommended to the Board at the next meeting.

The administration shall seek such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

PART-TIME, TEMPORARY AND SUBSTITUTE CLASSIFIED STAFF EMPLOYMENT

The Board recognizes its responsibility to procure the services of substitute employees in order to prevent the impermissible abatement of the operation of the schools.

The names of potential substitute personnel and the positions in which they may substitute shall be maintained by the Superintendent, and submitted for Board approval.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.27
3319.081; 3319.141

CLASSIFIED STAFF ORIENTATION

Administrators of the District are responsible for the orientation of new classified staff personnel so that they may clearly understand:

1. the responsibilities of the position to which they have been assigned;
2. the person or persons to whom they are directly responsible;
3. the objectives of the department to which they are assigned and
4. how to get professional and technical assistance when needed.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

CLASSIFIED STAFF ASSIGNMENTS AND TRANSFERS

The judicious placement of employees within the District is concomitant to the employment of qualified and competent personnel for the successful functioning of the District.

Responsibility for the assignment and transfer of nonteaching employees shall be vested in the Superintendent.

The Superintendent shall provide for a system of voluntary transfers and promotions in which preferential consideration will be given to fully qualified intradistrict transfers over new employees.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.32
OAC 3301-35-03(A)

CLASSIFIED STAFF TIME SCHEDULES

The Superintendent of the District, in consultation with the appropriate administrators, will establish work schedules for the classified staff.

Submission of time sheets or documentation for hours worked shall be provided to the fiscal office on a regular basis as prescribed by the treasurer.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

(Approved amendment: October 26, 2004)

LEGAL REF.: ORC 3319.086

CLASSIFIED STAFF DEVELOPMENT OPPORTUNITIES

Classified staff employees are an integral part of the District's total staff. Their training and development are essential to the efficient and economical operation of the schools.

Therefore, all classified staff employees shall be encouraged to grow in job skills and to take additional training which will improve their skills on the job.

Absences from work to attend meetings, conventions, conferences or workshops of local, state or national associations which serve to advance the welfare of the District through the upgrading and strengthening of the classified service may be granted by the Superintendent without loss of pay to the employee.

Tuition Reimbursement

The Board shall provide \$7,000 annually for employees for tuition reimbursement for coursework that is related to the employee's job responsibilities. Reimbursement shall not exceed 50% of the cost of tuition. If requested reimbursement exceeds available funds, reimbursement shall be dispersed equally among applicants up to 50% of the cost of tuition.

\$2,500 shall be available for fall courses (courses completed prior to December 31), \$2,500 shall be available for winter/spring courses (courses completed prior to June 15), and \$2,000 shall be available for summer courses (courses completed by September 10). Unused money from the fall and winter/spring courses shall be added to the money available during the summer. Unused money from the summer courses shall not be carried forth to the following year. Unused money from the summer courses shall be redistributed, if less than 50% was paid during the fall and winter/spring session.

Application for reimbursement shall be made to the superintendent prior to starting the course work. Late application may be cause to deny approval for reimbursement.

Employees who qualify shall receive reimbursement either the second pay in October or the second pay in February for work completed during the previous summer session or previous semester. Payments for spring/winter semester and summer sessions are contingent upon the member returning to the district for another year of service. Employment shall continue through October 15 to be considered as "returning to the district for another year of service."

Proof of credit (transcript) and receipt of payment shall be submitted to the superintendent two weeks prior to payment. Late submission of either proof of payment or receipt of payment shall delay reimbursement until the following payment period (second pay in October or the second pay in February). Such reimbursement shall be the lesser of eligible reimbursement for the originally scheduled payment period and the eligible reimbursement when payment occurs.

Reimbursement will not be made for grades lower than "B." Reimbursement will be made for successfully completed courses taken for "credit" (if ungraded). No reimbursement will be made when tuition is paid by scholarship, fellowship or grant.

College credits earned by personnel that may qualify them for the next salary bracket must be filed in the office of the superintendent on or before September 15 in order to receive the next salary increment for the current school year.

Tuition reimbursement for fiscal agencies is contingent upon approval of fiscal agency governing board and additional funding by such agency.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

[Re-approval date: September 26, 2000]

[Approved amendment: October 26, 2000]

[Update: April 26, 2006]

[Update: November 24, 2009]

LEGAL REF.: OAC 3301-35-03

EVALUATION OF CLASSIFIED STAFF

The Board recognizes the importance of implementing a program of classified employee evaluations for the purpose of promoting individual job performance and improving services to students.

The goals of the Board's evaluation plan for classified personnel are to improve and reinforce the skills, attitudes and abilities which enable an employee to be effective in achieving assigned job goals.

The structure of the evaluation plan shall involve employees in the evaluation and modification of the plan itself.

The Superintendent shall prepare regulations for the conduct of employee evaluations which shall include the Superintendent.

Said guidelines as prepared by the Superintendent must have the following characteristics. They must be clear and unambiguous in intent and understandable in language; establish reasonable standards under all circumstances; apply in a consistent and uniform manner to all employees in the same class and be available to employees for review before they are applied.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 3319.081
 Chapter 124
 OAC 3301-35-03(A)(8)

CROSS REF.: AFC-2, Evaluation of Certificated Staff (Administrators) (Also GCN-2)

REDUCTION IN CLASSIFIED STAFF WORK FORCE

It is the responsibility of the Board to provide the staff necessary for the operation of the District, consistent with the responsibility of the Board to its constituency for the judicious allocation of its resources.

The Board reserves the right in accordance with statute to abolish any existing position in whole or in part or to reduce the number of employees in such positions, or reduce the number of hours worked in various positions.

The Superintendent shall recommend to the Board, for its deliberation, the abolishment of existing positions; however, nothing in this policy shall be considered to constrain the Board from exercising its authority unilaterally and without the recommendation of the Superintendent.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.32; 124.321
3319.083
4141.29

RESIGNATION OF CLASSIFIED STAFF MEMBERS

Any classified staff member may terminate his/her contract of employment with the District by filing a written notice of such termination with the Treasurer of the Board 30 days prior to the effective date of termination.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.39
3319.081

SEVERANCE PAY

At the time of retirement, a severance amount calculated by a prescribed formula applied to the employee's unused sick leave and daily rate of pay at the time of retirement will be granted to classified staff employees in compliance with State law.

Nonretirement severance pay may be provided if included in employee's employment contract.

[Adoption date: September 20,1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 9.90
124.39

RETIREMENT SEVERANCE PAY

In accordance with statute, all employees who present evidence of retirement from active service with the Board shall be granted severance pay for their accrued but unused sick leave days. This regulation specifies the manner for so doing.

The Board authorizes the payment to a retiring employee of one-fourth of his/her unused sick leave days to a maximum of 35 days under the conditions hereinafter specified unless an employee's employment contract states otherwise.

For purposes of this policy, "retirement" means retirement under the School Employees Retirement System and does not include disability retirement.

In order to qualify for severance pay, an employee shall:

1. have made application within two months following the effective date of retirement;
2. served 10 or more years of active service covered by S.E.R.S., with the state or a political subdivision or a combination thereof and
3. if approved, severance pay will be made by the Board in the following manner:
 - A. Payment shall be made no later than 60 days after the application is filed and the employee's retirement is verified to the office of the Superintendent by the retirement system.
 - B. Such payment shall be made only once to an employee.
 - C. Payment shall be based upon the employee's daily rate of base pay based on the days of service at the time of retirement exclusive of overtime or any supplementary pay.
 - D. Payment shall be made upon evidence that the employee has received his/her first check from the retirement system within 120 days from last date of service.

Payment of severance pay shall eliminate all obligations of the employer at the time of retirement from any further payment or restoration of sick leave unused.

Nonretirement Severance Pay

Payment of nonretirement severance pay included in any employment contract will follow the specifications of this regulation as applicable.

RETIREMENT SEVERANCE PAY

In the event of the death of an employee who would have otherwise been eligible for retirement and severance pay, such employee shall be deemed to have made application for severance pay and/or to have retired and terminated this employment on the date immediately preceding the date of death. Payment of the severance pay shall be made to the employee's estate. Payment shall be released to the qualified appointed executor or administrator of the employee's estate in a timely manner.

(Approval date: September 20, 1994)

(Re-approval date: May 26, 1998)

[Amendment date: January 25, 2005]

SUSPENSION AND DISMISSAL OF CLASSIFIED STAFF MEMBERS

In the event of an infraction of District rules by a classified employee, it shall be the policy of the Board to apply the statutes of the state, the policies and the regulations of the District with equal consideration to each employee.

The Board reserves the right within law to impose penalties for disciplinary reasons; however, where an employee fails or refuses to perform contracted work without acceptable reason, the Superintendent may deduct without further authorization wages reasonably related to the time not worked.

The Superintendent shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties, including where appropriate:

1. Verbal Warning
2. Written Warning
3. Transfer
4. Suspension
5. Demotion
6. Dismissal

In the event that it is necessary to take disciplinary action against an employee a notice in ordinary and concise language shall be sent to the employee specifying:

1. the specific acts and omissions upon which the disciplinary action is based and
2. a statement of the cause for the action taken.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]

LEGAL REFS.: ORC 124.32; 124.33; 124.34
3319.04; 3319.081; 3319.083

NONSCHOOL EMPLOYMENT BY CLASSIFIED STAFF MEMBERS

The Board recognizes that employees of the District must enjoy private lives and may associate with others outside of school for political, economic, religious, cultural or personal reasons. The Board and its supervisory staff, however, have a responsibility to evaluate employees in terms of their faithfulness to and effectiveness in discharging, school duties and responsibilities; therefore, when nonschool activities threaten an employee's effectiveness within the District, the Board reserves the right to evaluate the impact of such activities upon the employee's responsibilities to the Board.

With the issuance of a full-time contract, the Board becomes the individual's primary employer. No employee shall then obligate or involve himself/herself to interests or vestments outside his/her position with the Board that interferes with the normal contractual commitment to the Board, except as approved by the Superintendent.

[Adoption date: September 20, 1994]

[Re-adoption date: May 26, 1998]