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Personnel -AllRecruitment and Selection

The Board of Education authorizes the Superintendent to recruit and recommend for employment the best qualified personnel to implement and fulfill the goals and policies of Stanton Community School District. All applicants so selected and recommended must satisfy the standards as set by the Board and/or the laws of the State of Nebraska.

All personnel applying for employment shall be recommended for hiring by the Superintendent with the final approval by the Board of Education prior to hiring. Final approval must be made by formal motion of the Board of Education. The final approval by the Board of Education should generally follow closely the recommendation of the Superintendent whenever possible, but such approval of recommendation is not mandatory on the Board of Education.

Where required by law or deemed essential by the school district, employees must be duly licensed and/or certified.

Reference 79-501

Personnel - All EmployeesEqual Opportunity Employment

It is the policy of the Stanton Community Schools to employ the best qualified applicant for each position without regard to sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status, and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Personnel - All Employees (& Students)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

The Stanton Community Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Stanton Community Schools does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students, Employees and Others: Dr. Michael J. Sieh, Superintendent, 1007 Kingwood Street, Stanton, NE 68779 (402) 439-2233 (msieh@esu8.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550 (voice), Fax (816) 260-0559, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

The Stanton Community Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or

- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses.

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled

“Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant unless the alleged victim agrees to a longer timeline**. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect

or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one **(1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

5. Training:

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. § 2000d, Title VII, 42 U.S.C. § 2000e, Title IX; 20 U.S.C. § 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. §621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. §48-1001 et seq.; Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. § 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. § 4301 et seq.
Neb. Rev. Stat. § 79-2,115, et seq

Notice of Nondiscrimination

The Stanton Community School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students, Employees and Others: Dr. Michael J. Sieh, Superintendent, 1007 Kingwood Street, Stanton, NE 68779 (402) 439-2233 (msieh@esu8.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

**Complaint Form
Discrimination, Harassment or Retaliation**

The Stanton Community School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:
Students, Employees and Others: Dr. Michael J. Sieh, Superintendent, POB 749, Stanton, NE 68779 (402) 439-2233 (msieh@esu8.org).

Name: _____ Date: _____

(1) Description of the complaint: _____

_____.

(2) Names of any witnesses to the matter being complained about: _____

_____.

(3) Identify and attach any document supporting the complaint: _____
_____.

(4) Confidentiality: I ___ do___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

_____.

(5) Relief requested (what I want done in response to this complaint): _____
_____.

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Received by: _____ Signature: _____
Date: _____

Personnel - All Employees

Duty Hours of Employees

- A. Administrative personnel shall be on duty when and at such times as the responsibilities of their position dictates. The Superintendent shall set the duty hours of administrative staff.
- B. Unless otherwise provided, teachers shall be on duty one half hour before their respective school convenes classes and one half hour after classes dismiss. Teachers shall be provided with a one half hour duty free lunch period
- C. All other staff shall be on duty as determined by the Superintendent.
- D. No teacher or other school employee shall accept any other employment or carry on any business or activity for profit that interferes with the complete discharge of his or her responsibilities to the school district.

Personnel - All Employees

Absence of Employees

- A. An employee who finds it necessary to be absent from duty shall notify the office of the employee's immediate supervisor in advance of such absence and give (1) the reason for the absence; and, (2) the anticipated length of absence.
- B. Employees requesting leave in order to perform other duties for which they will be compensated (court duty, consulting, etc.) shall be required to remit to the District either the compensation received beyond expenses or their district wages for the time missed.
- C. Absence or suspension from duty of any employee shall result in loss of pay for the period of absence or suspension except as otherwise provided by these policies or law.
- D. A substitute may not be hired by any employee to take over his/her duties. In no instance may an employee make personal arrangements to pay a substitute.

Personnel - All Employees

Absence From Building

- A. Employees may not be absent from their respective assignments during duty hours except by permission of their immediate supervisor or Superintendent.
- B. Employees may be excused from the building for periods not to exceed thirty (30) minutes at the approval of their immediate superior officer or Superintendent for matters of personal business which cannot be completed after regular school hours.

Personnel - All EmployeesFamily and Medical Leave Policy

Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA) as amended.

The “leave year” for purposes of the FMLA shall be a “rolling” twelve-month period, measured backward from the date of any FMLA leave usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required in the discretion of the Superintendent or the Superintendent’s designee, or the Board. The employee may also have paid leave run concurrently with unpaid FMLA leave entitlement, provided the employee meets applicable requirements of the leave policy.

Employees shall be required to submit medical certifications to support a request for FMLA leave because of a serious health condition, or a sick leave, when such leave is for a duration in excess of five (5) successive days, and in such other cases as deemed appropriate by the Superintendent or the Board based on the nature of the illness or other circumstances surrounding the leave. Second and third medical opinions may, in the Superintendent or the Board's discretion, be required. Employees shall be required to report periodically, at such times as requested by the Superintendent or the Board, on their intent to return to work from FMLA leaves and other leaves. Employees shall be required to submit a fitness-for-duty certification from their health care provider as a condition of returning to work from a FMLA leave taken because of the employee’s serious health condition, or from a sick leave taken by reason of the employee’s illness, when such leave was of a duration in excess of five (5) successive days, and upon request of the Superintendent or the Board when such is deemed appropriate by the Superintendent or the Board based upon the nature of the illness or other circumstances surrounding the leave.

An “equivalent position” for FMLA restoration purposes shall, in the case of certificated employees, be any administrative, teaching, or instruction related position for which the employee is qualified by reason of endorsement, college preparation, or experience, or other indicia; in the case of coaching or other similar extracurricular duty assignments, be any extracurricular duty assignment, and in the case of other employees or positions, be in a position with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Superintendent or the Board.

Legal Reference: 29 USC Sections 2611 to 2618 and
 29 CFR Part 82

**Application for Leave
Family and Medical Leave Act**

Employee Name: _____ Position: _____

Send notices to me at: _____

FMLA Leave Requested From _____

To _____

If leave is requested on an intermittent or reduced leave schedule, describe the requested leave schedule: _____
_____.

Reason for Leave Request (check and complete as appropriate):

- 1. ____ For birth of a son or daughter, and to care for the newborn child.
- 2. ____ For placement with the employee of a son or daughter for adoption or foster care.
- 3. ____ To care for the employee’s spouse, son or daughter, or parent with a serious health condition.

Name of family member: _____

Describe reason employee needs to provide the care and the nature of the care: _____
_____.

- 4. ____ Because of a serious health condition that makes the employee unable to perform the functions of the employee’s job.

Briefly describe condition and job functions that employee is unable to perform: _____
_____.

- 5. ____ Because of a qualifying exigency arising out of the fact that the employee’s spouse, son or daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

Name and relationship of family member: _____

Describe the qualifying exigency: _____
_____.

- 6. ____ To care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

Name and relationship of family member: _____

Describe reason employee needs to provide the care and the nature of the care: _____
_____.

I certify that the above information given by me is correct and that I have read the foregoing and understand my rights under the FMLA.

Employee’s Signature

Date

**Notice of Eligibility and Rights & Responsibilities
Family and Medical Leave Act**

In general, to be eligible an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. This form is to be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave.

Part A - NOTICE OF ELIGIBILITY

TO: _____
Employee

FROM: Michael J. Sieh, Superintendent

DATE: _____

On _____, you informed us that you needed leave beginning on _____ for:

- The birth of a child, or placement of a child with you for adoption or foster care;
- Your own serious health condition;
- Because you are needed to care for your _____ spouse; _____ son or daughter; _____ parent due to his/her serious health condition.
- Because of a qualifying exigency arising out of the fact that your _____ spouse; _____ son or daughter; _____ parent is on covered active duty or call to covered active duty with the Armed Forces.
- Because you are the _____ spouse; _____ son or daughter; _____ parent next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

- Are eligible for FMLA leave (See Part B below for Rights and Responsibilities).
- Are **not** eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):
- You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately _____ months towards this requirement.
- You have not met the FMLA's hours of service requirement.
- You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact Dr. Michael J. Sieh, Superintendent, or view the FMLA poster located in the Central Office.

Part B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. **However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following**

information to us by _____. (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances). If sufficient information is not provided in a timely manner, your leave may be denied.

_____ Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request **is** / **is not** enclosed.

_____ Sufficient documentation to establish the required relationship between you and your family member.

_____ Other information needed (such as documentation for military family leave):

_____ No additional information requested.

If your leave **does qualify** as FMLA leave you will have the following responsibilities while on FMLA leave (only checked blanks apply):

_____ Contact Michael J. Sieh at (402) 439-2233 to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

_____ You will be required to use your available **sick**, **vacation**, and/or **other leave** during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

_____ Due to your status within the company, you are considered a “key employee” as defined in the FMLA. As a “key employee,” restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We **have** / **have not** determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

_____ While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every _____.
(Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following **rights** while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as a “rolling” 12-month period measured backward from the date of any FMLA leave usage.

- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on _____.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; (2) the continuation, recurrence, or onset of a covered servicemember’s serious injury or illness which would entitle you to FMLA leave; or (3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have ____ **sick**, ____ **vacation**, and/or ____ **other leave** run concurrently with your unpaid leave entitlement, provided you meet applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

____ For a copy of conditions applicable to sick/vacation/other leave usage please refer to _____ available at: _____

____ Applicable conditions for use of paid leave: _____

Once we obtain the information from you as specified above, we will inform you, within five business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact: Michael J. Sieh at (402) 439-2233.

**Designation Notice
Family and Medical Leave Act**

Leave covered under the FMLA must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient.

To: _____ Date: _____

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided. We received your most recent information on _____ and decided:

*****APPROVED*****

_____ Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.

The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:

_____ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: _____.

_____ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised (check if applicable):

_____ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

X We are requiring you to substitute or use paid leave during your FMLA leave.

_____ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position is is not attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

*****ADDITIONAL INFORMATION NEEDED*****

_____ **Additional information is needed to determine if your FMLA leave request can be approved:**

_____ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information to make certification complete and sufficient no later than _____ (provide at least seven calendar days), unless it is not practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied: _____

_____ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

*****NOT APPROVED*****

_____ Your FMLA Leave request is Not Approved for the reason that _____ the FMLA does not apply to your leave request and/or _____ you have exhausted your FMLA leave entitlement in the applicable 12-month period.

**Certification of Health Care Provider for Employee's Serious Health Condition
Family and Medical Leave Act**

SECTION 1: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: FMLA provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider.

Employer name: _____
Employer contact person: _____
Employee's job title: _____
Regular work schedule: _____
Employee's essential job functions: _____

_____ Check if job description is attached.

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. Your employer must give you at least 15 calendar days to return this form.

Your name: _____
 First Middle Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice/Medical specialty: _____

Telephone: (_____) _____ Fax: (_____) _____

Part A. MEDICAL FACTS

1. Approximate date condition commenced: _____

Probable duration of condition: _____

Mark below as applicable:

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?

No Yes. If so, dates of admission: _____

Date(s) you treated the patient for condition: _____

Will the patient need to have treatment visits at least twice per year due to the condition?
 No Yes.

Was medication, other than over-the-counter medication, prescribed? No Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?

No Yes. If so, state the nature of such treatments and expected duration of treatment: _____

2. Is the medical condition pregnancy? No Yes. If so, expected delivery date: _____.

3. Use the information provided by the employer in Section 1 to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition: No Yes

If so, identify the job functions the employee is unable to perform: _____

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment): _____

Part B: AMOUNT OF LEAVE NEEDED

- 5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? ___ No ___ Yes.

If so, estimate the beginning and ending dates for the period of incapacity: _____

- 6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? ___ No ___ Yes.

If so, are the treatments or the reduced number of hours of work medically necessary? ___ No ___ Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period: _____

Estimate the part-time or reduced work schedule the employee needs, if any:

_____ hour(s) per day; _____ days per week from _____ through _____

- 7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? ___ No ___ Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups? ___ No ___ Yes. If so, explain: _____

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: ___ times per ___ week(s) ___ month(s)

Duration: ___ hours or ___ day(s) per episode

**ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR
 ADDITIONAL ANSWER:**

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed above has requested leave under the FMLA to care for your patient. Answer, fully and completely, all applicable parts below. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the patient needs leave. Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice/Medical specialty: _____

Telephone: (_____) _____ Fax: (_____) _____

Part A. MEDICAL FACTS

1. Approximate date condition commenced: _____

Probable duration of condition: _____

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility? No Yes. If so, dates of admission: _____

Date(s) you treated the patient for condition: _____

Was medication, other than over-the-counter medication, prescribed? No Yes.

Will the patient need to have treatment visits at least twice per year due to the condition? No Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)? No Yes. If so, state the nature of such treatments and expected duration of treatment: _____

2. Is the medical condition pregnancy? No Yes. If so, expected delivery date: _____

3. Describe other relevant medical facts, if any, related to the condition for which the patient needs care (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment): _____

Part B: AMOUNT OF CARE NEEDED

- 4. Will the patient be incapacitated for a single continuous period of time, including any time for treatment and recovery? ___ No ___ Yes.

Estimate the beginning and ending dates for the period of incapacity: _____

During this time, will the patient need care? ___ No ___ Yes.

Explain the care needed by the patient and why such care is medically necessary: _____

- 5. Will the patient require follow-up treatment, including any time for recovery? ___ No ___ Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period: _____

Explain the care needed by the patient, and why such care is medically necessary: _____

- 6. Will the patient require care on an intermittent or reduced schedule basis, including any time for recovery? ___ No ___ Yes.

Estimate the hours the patient needs care on an intermittent basis, if any:

_____ hour(s) per day; _____ days per week from _____ through _____

Explain the care needed by the patient, and why such care is medically necessary: _____

- 7. Will the conditions cause episodic flare-ups periodically preventing the patient from participating in normal daily activities? ___ No ___ Yes.

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: ___ times per _____ week(s) _____ month(s)

Duration: ___ hours or ___ day(s) per episode

Does the patient need care during these flare-ups? ___ No ___ Yes.

Explain the care needed by the patient, and why such care is medically necessary: _____

Part A. QUALIFYING REASON FOR LEAVE

- 1. Describe the reason you are requesting FMLA leave due to a qualifying exigency (including the specific reason you are requesting leave):

- 2. A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes any available written documentation which supports the need for leave; such documentation may include a copy of a meeting announcement for informational briefings sponsored by the military; a document confirming the military member’s Rest and Recuperation leave; a document confirming an appointment with a third party, such as a counselor or school official, or staff at a care facility; or a copy of a bill for services for the handling of legal or financial affairs. Available written documentation supporting this request for leave is attached.
 Yes No None Available.

Part B: AMOUNT OF LEAVE NEEDED

- 1. Approximate date exigency commenced: _____

Probable duration of exigency: _____

- 2. Will you need to be absent from work for a single continuous period of time due to the qualifying exigency? No Yes.

If so, estimate the beginning and ending dates for the period of absence: _____

- 3. Will you need to be absent from work periodically to address this qualifying exigency?
 No Yes.

Estimate schedule of leave, including the dates of any scheduling meetings or appointments:

Estimate the frequency and duration of each appointment, meeting, or leave event, including any travel time (i.e., 1 deployment-related meeting every month lasting 4 hours):

Frequency: _____ times per _____ week(s) _____ month(s).

Duration: _____ hours _____ day(s) per event.

Part C: If leave is requested to meet with a third party (such as to arrange for childcare or parental care, to attend counseling, to attend meetings with school or childcare or parental care providers, to make financial or legal arrangements, to act as the military member's representative before a federal, state, or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations), a complete and sufficient certification includes the name, address, and appropriate contact information of the individual or entity with whom you are meeting (i.e., either the telephone or fax number or email address of the individual or entity). This information may be used by your employer to verify that the information contained on this form is accurate.

Name of Individual: _____ Title: _____

Organization: _____

Address: _____

Telephone: (_____) _____ Fax: (_____) _____

Email: _____

Describe nature of meeting: _____

PART D: I certify that the information I provided above is true and correct.

Signature of Employee

Date

Certification for Serious Injury or
Illness of a Current
Servicemember - -for Military Family Leave
(Family and Medical Leave Act)

U.S. Department of Labor

Wage and Hour Division



OMB Control Number: 1235-0003
Expires: 2/28/2015

Notice to the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a serious injury or illness of a current servicemember to submit a certification providing sufficient facts to support the request for leave. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 CFR 825.310. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees or employees' family members created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 CFR 1630.14(c)(1), if the Americans with Disabilities Act applies.

SECTION I: For Completion by the EMPLOYEE and/or the CURRENT SERVICEMEMBER for whom the Employee Is Requesting Leave

INSTRUCTIONS to the EMPLOYEE or CURRENT SERVICEMEMBER: Please complete Section I before having Section II completed. The FMLA permits an employer to require that an employee submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a serious injury or illness of a servicemember. If requested by the employer, your response is required to obtain or retain the benefit of FMLA-protected leave. 29 U.S.C. 2613, 2614(c)(3). Failure to do so may result in a denial of an employee's FMLA request. 29 CFR 825.310(f). The employer must give an employee at least 15 calendar days to return this form to the employer.

SECTION II: For Completion by a UNITED STATES DEPARTMENT OF DEFENSE ("DOD") HEALTH CARE PROVIDER or a HEALTH CARE PROVIDER who is either: (1) a United States Department of Veterans Affairs ("VA") health care provider; (2) a DOD TRICARE network authorized private health care provider; (3) a DOD non-network TRICARE authorized private health care provider; or (4) a health care provider as defined in 29 CFR 825.125

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed on Page 2 has requested leave under the FMLA to care for a family member who is a current member of the Regular Armed Forces, the National Guard, or the Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness. For purposes of FMLA leave, a serious injury or illness is one that was incurred in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

A complete and sufficient certification to support a request for FMLA leave due to a current servicemember's serious injury or illness includes written documentation confirming that the servicemember's injury or illness was incurred in the line of duty on active duty or if not, that the current servicemember's injury or illness existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that the current servicemember is undergoing treatment for such injury or illness by a health care provider listed above. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the servicemember's condition for which the employee is seeking leave.

SECTION I: For Completion by the EMPLOYEE and/or the CURRENT SERVICEMEMBER for whom the Employee Is Requesting Leave:

(This section must be completed first before any of the below sections can be completed by a health care provider.)

Part A: EMPLOYEE INFORMATION

Name and Address of Employer (this is the employer of the employee requesting leave to care for the current servicemember):

Name of Employee Requesting Leave to Care for the Current Servicemember:

First

Middle

Last

Name of the Current Servicemember (for whom employee is requesting leave to care):

First

Middle

Last

Relationship of Employee to the Current Servicemember:

Spouse Parent Son Daughter Next of Kin

Part B: SERVICEMEMBER INFORMATION

(1) Is the Servicemember a Current Member of the Regular Armed Forces, the National Guard or Reserves?
Yes No

If yes, please provide the servicemember's military branch, rank and unit currently assigned to:

Is the servicemember assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients (such as a medical hold or warrior transition unit)?

Yes No

If yes, please provide the name of the medical treatment facility or unit:

(2) Is the Servicemember on the Temporary Disability Retired List (TDRL)?
Yes No

Part C: CARE TO BE PROVIDED TO THE SERVICEMEMBER

Describe the Care to Be Provided to the Current Servicemember and an Estimate of the Leave Needed to Provide the Care:

SECTION II: For Completion by a United States Department of Defense (“DOD”) Health Care Provider or a Health Care Provider who is either: (1) a United States Department of Veterans Affairs (“VA”) health care provider; (2) a DOD TRICARE network authorized private health care provider; (3) a DOD non-network TRICARE authorized private health care provider; or (4) a health care provider as defined in 29 CFR 825.125. If you are unable to make certain of the military-related determinations contained below in Part B, you are permitted to rely upon determinations from an authorized DOD representative (such as a DOD recovery care coordinator).

(Please ensure that Section I above has been completed before completing this section. Please be sure to sign the form on the last page.)

Part A: HEALTH CARE PROVIDER INFORMATION

Health Care Provider’s Name and Business Address:

Type of Practice/Medical Specialty: _____

Please state whether you are either: (1) a DOD health care provider; (2) a VA health care provider; (3) a DOD TRICARE network authorized private health care provider; (4) a DOD non-network TRICARE authorized private health care provider, or (5) a health care provider as defined in 29 CFR 825.125:

Telephone: () _____ Fax: () _____ Email: _____

PART B: MEDICAL STATUS

(1) The current Servicemember’s medical condition is classified as (Check One of the Appropriate Boxes):

(VSI) Very Seriously Ill/Injured – Illness/Injury is of such a severity that life is imminently endangered. Family members are requested at bedside immediately. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

(SI) Seriously Ill/Injured – Illness/injury is of such severity that there is cause for immediate concern, but there is no imminent danger to life. Family members are requested at bedside. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

OTHER Ill/Injured – a serious injury or illness that may render the servicemember medically unfit to perform the duties of the member’s office, grade, rank, or rating.

NONE OF THE ABOVE (Note to Employee: If this box is checked, you may still be eligible to take leave to care for a covered family member with a “serious health condition” under § 825.113 of the FMLA. If such leave is requested, you may be required to complete DOL FORM WH-380-F or an employer-provided form seeking the same information.)

(2) Is the current Servicemember being treated for a condition which was incurred or aggravated by service in the line of duty on active duty in the Armed Forces? Yes No

(3) Approximate date condition commenced: _____

(4) Probable duration of condition and/or need for care: _____

(5) Is the servicemember undergoing medical treatment, recuperation, or therapy for this condition? Yes No

If yes, please describe medical treatment, recuperation or therapy:

PART C: SERVICEMEMBER'S NEED FOR CARE BY FAMILY MEMBER

(1) Will the servicemember need care for a single continuous period of time, including any time for treatment and recovery? Yes No

If yes, estimate the beginning and ending dates for this period of time: _____

(2) Will the servicemember require periodic follow-up treatment appointments? Yes No

If yes, estimate the treatment schedule: _____

(3) Is there a medical necessity for the servicemember to have periodic care for these follow-up treatment appointments? Yes No

(4) Is there a medical necessity for the servicemember to have periodic care for other than scheduled follow-up treatment appointments (e.g., episodic flare-ups of medical condition)?
Yes No

If yes, please estimate the frequency and duration of the periodic care:

Signature of Health Care Provider: _____ **Date:** _____

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years, in accordance with 29 U.S.C. 2616; 29 CFR 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE PATIENT.**

Personnel - All EmployeesAdoption Leave

Adoption leave will be permitted to be taken by an adoptive parent for the same time and on the same terms as an employee is permitted to take a leave of absence upon the birth of the employee's child.

The adoptive parent leave of absence begins following the commencement of the parent-child relationship. The parent-child relationship commences, for purposes of adoption leave, when the child is placed with the employee for purposes of adoption. The employee shall be deemed to have waived any adoptive leave days not taken following the commencement of the parent-child relationship, except as the Superintendent and the employee may otherwise agree. Advance notice of an anticipated adoption shall be provided by the employee to the Superintendent as soon as possible.

Legal Reference: LB 134, Laws of 1999

Personnel - All EmployeesDrug and Substance Use and Abuse

It is the policy of the Stanton Community School District to eliminate the influence of drugs, alcohol and other chemicals within the school environment and to educate students against the usage of drugs, alcohol and illegal substances. The District will implement regulations and practices which will insure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

Section 1 Drug-Free Workplace

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held. The school district recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with school purposes.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any district property or district sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.
2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.
3. As a condition of employment, employees will abide by the District's drug-free workplace policies and notify the Superintendent or designee of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. Sanctions for violation thereof may include the requirement that the employee complete an appropriate rehabilitation program, reprimands, and non-renewal, cancellation, or termination of contract of employment.
5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.

6. Employees shall be furnished with a copy of this policy.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Section 2 Alcohol and Drug Testing

The District will implement regulations and practices which will insure compliance with the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto. Employees in "safety-sensitive" positions, as defined by the Act and regulations promulgated thereunder, including employees whose position requires a commercial driver's license (CDL), shall be tested for alcohol and controlled substances as required by law. (See attached Appendix "1"). Refusal to submit to such pre-employment testing, or testing positive, shall disqualify an applicant from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and shall be removed from employment.

Legal Reference: 41 U.S.C. §702

4009 - APPENDIX 1

**CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING:
FEDERAL REGULATIONS, STANTON COMMUNITY SCHOOL DISTRICT'S
COMPLIANCE POLICIES AND PROCEDURES, AND EDUCATIONAL MATERIALS**

The U.S. Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued regulations requiring that individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs) be tested for controlled substances and alcohol and not engage in controlled substances use or alcohol misuse. Information concerning those regulations, Stanton Community School District policies and procedures, and educational materials relating to controlled substances use and alcohol misuse is set forth as follows:

A. The persons designated by Stanton Community School District to answer employee questions about these materials are:

- Superintendent of Schools
- Secondary Principal
- Elementary Principal

B. The categories of employees who are subject to the provisions of the federal controlled substances and alcohol use and testing regulations are:

Individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs), including bus drivers and distribution and maintenance employees who are subject to driving commercial motor vehicles.

C. The term "safety-sensitive functions" means:

1. All time waiting to be dispatched, unless the driver has been relieved from duty;
2. All time inspecting equipment or inspecting, servicing, or conditioning any commercial motor vehicle (i.e., a vehicle in excess of 26,000 pounds GVWR or designed to carry 16 or more passengers, including the driver) at any time;
3. All driving time (i.e., time spent at the controls of a commercial motor vehicle in operation);
4. All time, other than driving time, in or upon any commercial motor vehicle;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time spent performing the driver requirements of 49 CFR §§392.40 and 392.41 relating to accidents;
7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

D. Employee conduct that is prohibited by the federal controlled substances and alcohol use and testing regulations includes:

1. Alcohol concentration.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

2. Alcohol possession.

No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.

3. On-duty use.

No driver shall use alcohol while performing safety-sensitive functions.

4. Pre-duty use.

No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.

5. Use following an accident.

No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.

6. Refusal to submit to a required alcohol or controlled substances test.

No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substances test.

7. Controlled substances use.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

8. Controlled substances test.

No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

E. The circumstances under which an employee will be tested for alcohol and/or controlled substances pursuant to the federal regulations include:

1. Pre-employment testing.

Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances. No safety-sensitive functions are to be performed unless the driver has been administered an alcohol test with a result indicating an alcohol concentration less than 0.04, and has received a controlled substances test result from the medical review officer indicating a verified negative test result.

2. Post-accident testing.

- a. As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver:
 1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
 2. Who receives a citation under State or local law for a moving traffic violation arising from the accident shall undergo a test for alcohol and controlled substances.
- b.
 1. *Alcohol tests.* Shall be administered within two hours following the accident unless such can not reasonably be done, and not more than eight hours following the accident.
 2. *Controlled substance tests.* Shall be administered within 32 hours following the accident.
- c. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. The driver shall be permitted to leave the immediate scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care, but shall otherwise remain readily available for testing.

3. Random testing.

- a. Drivers shall be subject to random testing. The minimum annual percentage rate for random alcohol testing should be 25 percent of the average number of driver positions, or such minimum annual percentage rate as established from time to time by the FHWA. The minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions.
- b. The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.
- c. The random alcohol and controlled substances tests shall be unannounced and the dates for administering random alcohol and controlled substances tests shall be spread reasonably throughout the calendar year.
- d. Each driver who is notified of selection for random alcohol and/or controlled substances testing shall proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, the driver shall cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

4. Reasonable suspicion testing.

- a. A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations (except for possession of alcohol).
 - b. Under federal law, notwithstanding the absence of a reasonable suspicion alcohol test, a driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol and must not perform or continue to perform safety-sensitive functions, until:
 - i. An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
 - ii. Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions concerning the use of alcohol.
5. **Return-to-duty testing.**
- a. Alcohol. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning alcohol and has not been terminated, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.
 - b. Controlled Substances. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning controlled substances, and has not been terminated, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

6. **Follow-up testing.**

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver shall, if still employed, be subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with the provisions of federal regulations.

Random, reasonable suspicion, and follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

F. The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the employee and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that those results are attributed to the correct employee include:

The procedures outlined in 49 CFR 40, concerning procedures for Transportation Workplace Drug and Alcohol Testing Program, will be followed. This includes use of a "split sample" approach for drug testing and chain of custody procedures including

documentation of screening aliquots.

G. An employee is required to submit to alcohol and controlled substances tests administered pursuant to the federal regulations.

H. A "refusal to submit" to an alcohol or controlled substance test includes:

Refuse to submit (to an alcohol or controlled substances test) means that a driver (1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process. A failure to remain readily available for post-accident testing, or to notify the employer of the need for such testing, or to proceed to the test site immediately for random testing, may be deemed by the employer to constitute a refusal to submit.

The consequences for refusing to submit to an alcohol or controlled substances test are as follows: A driver who has refused to submit to a required alcohol or controlled substance test is subject to the same consequences as a driver who has tested positive on an alcohol (concentration of 0.04 or greater) or controlled substances test.

I. The consequences under the federal regulations for employees who have violated the federal regulations relating to controlled substances and alcohol use and testing include:

The driver shall be removed from and not permitted to perform safety-sensitive functions. The driver shall be referred for evaluation by a substance abuse professional for a determination of what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances abuse.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by the federal regulations, the driver shall, if still employed, undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 if the conduct involved alcohol, or a controlled substances test with a verified negative result if the conduct involved a controlled substance.

In addition, each driver identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, if still employed,

- i. Shall be evaluated by a substance abuse professional to determine that the driver has properly followed any rehabilitation program prescribed, and
- ii. Shall be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty.

The driver may also be subject to the penalty provisions of 49 U.S.C. § 521(b).

- J. **The consequences under the federal regulations for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04 include:** Removal from safety-sensitive functions for a period of not less than 24 hours following administration of the test.

- K. **Information to assist employees in avoiding alcohol misuse and controlled substances use, signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when such a problem is suspected:** Information will be made available by the counselor to employees upon request.

**APPLICANT'S CONSENT
TO OBTAIN PAST DRUG AND ALCOHOL TEST RESULTS**

I, _____ [insert applicant's name], understand that as a condition of hire with Stanton Community School District ("School District") I must give the School District written Consent to obtain the results of all DOT-required drug and/or alcohol tests (including any refusals to be tested) from all of the companies for which I worked as a driver, or for which I took a pre-employment drug and/or alcohol test during the past two (2) years. I also understand that the School District requires me to consent to access to the same information concerning any non-DOT driver drug and/or alcohol tests which I took during this same period of time. I have also been advised and understand that my signing of this consent does not guarantee me a job or guarantee that I will be offered a position with the School District.

Below I have listed all of the companies for which I worked as a driver, or for which I took a pre-employment driver position drug and/or alcohol test during the past two (2) years. I hereby consent to the School District obtaining from those companies, and I hereby consent to those companies furnishing to the School District, all requested information concerning my drug and alcohol tests, including:

- (i) all DOT and non-DOT alcohol test results of 0.04 or greater during the past two (2) years;
- (ii) all verified positive DOT and non-DOT drug test results during the past two (2) years;
- (iii) all instances in which I refused to submit to a DOT-required drug and/or alcohol test during the past two (2) years;
- (iv) any other violations of DOT agency drug and alcohol testing regulations during the past two (2) years; and
- (v) documentation of successful completion of DOT return-to-duty requirements (including follow-up tests) in the event of a violation of a DOT drug and alcohol testing regulations during the past two (2) years.

I specifically authorize the companies to fully complete the School District's Report of Past Drug and/or Alcohol Test Results form.

The following is a list of all of the companies for which I worked as a driver, or for which I took a pre-employment driver position drug and/or alcohol test, during the past two (2) years:

<u>Company name</u>	<u>Dates worked for/took pre-employment test</u>
_____	_____
_____	_____
_____	_____
_____	_____

APPLICANT CERTIFICATION

I have carefully read and fully understand this Consent to release my past drug and alcohol test results. In authorizing the release of my test results, I consent and agree to waive any physician-patient privilege that may otherwise exist with respect to the confidentiality of my drug and alcohol test results. I further release the Company and its medical review officer, and any officer, employee or agent of the Company or medical review officer whose disclosure of the results is in accordance with this release from any and all claims or causes of actions which may result from the disclosure of such test results to the person or persons identified on this release form.

In signing below, I certify that all of the information which I have furnished on this form is true and complete, and that I have identified all of the companies for which I have either worked, or for which I took a pre-employment drug and/or alcohol test, as a driver during the past two years. I understand that this information is material to my hiring and that my failure to provide true and complete information will automatically disqualify me for a position with the School District or, in the event that I am hired, subject me to immediate termination. Further, I understand that in the event of receipt of a report of past drug and/or alcohol violation, any conditional offer of employment will be revoked and in the event I have been hired, any employment will be automatically ended.

Signature of Applicant	Print Name	Date
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**APPLICANT'S CERTIFICATION OF
PAST DRUG AND ALCOHOL TEST RESULTS**

During the past two years before this application, I:

Did _____ Did not _____ (check applicable blank) test positive or refuse to submit to any pre-employment drug or alcohol test administered by an employer to which I applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules.

If I did test positive or refuse to submit, then I further certify that I:

Did _____ Did not _____ N/A _____ (check applicable blank) complete the return-to-duty process of the DOT agency drug and alcohol testing rules. I agree that it is my responsibility to provide the School District with documents establishing completion of such process before I may perform safety-sensitive functions for the School District.

APPLICANT CERTIFICATION

In signing below, I certify that all of the information which I have furnished on this form is true and complete. I understand that this information is material to my hiring and that my failure to provide true and complete information concerning the time period in question will automatically disqualify me for a position with the School District or, in the event that I am hired, subject me to immediate termination.

Signature of Applicant

Print Name

Date

REQUEST FOR PAST TEST RESULTS

To: _____ *[Insert name of previous employer]*
From: _____ *[Insert name and title of LPS representative]*
Subject: Request to obtain past drug and alcohol test results
Date: _____ *[Insert date]*

_____ *[Insert applicant's name]* has advised us that he/she worked for your company as a driver or that he/she applied to your company for work as a driver, during the previous two (2) years.

Regulations of the Department of Transportation (DOT) (49 C.F.R. § 40.25) require us to obtain from your company, and **require your company to provide** to us, information concerning the above-named driver's past drug and alcohol test results (including refusals to be tested).

In accordance with DOT's regulations, therefore, we are providing you with the driver's written consent directing your company to provide us with the past drug and alcohol testing results, as set forth in the consent. A Report form to provide the requested information is also enclosed for your convenience.

Please send this information to

Stanton Community School District
1007 Kingwood St., Box 749
Stanton, NE 68779-0749

as soon as possible, either by facsimile (FAX # (402) 439-2270) or by mail. As required by the DOT, the information which you furnish will be treated as strictly confidential.

Enclosures:

- Document No. 1. Applicant's Consent to Obtain Past Drug and Alcohol Test Results.**
- Document No. 4. Report of Past Drug and Alcohol Test Results.**

REPORT OF PAST DRUG AND/OR ALCOHOL TEST RESULTS

To: Stanton Community School District ("School District")
From: _____ [Insert name of Company submitting results]
Re: _____ [Insert Driver/Applicant's name]
_____ [Insert Driver/Applicant's Social Security Number]
_____ to _____ [Insert "Relevant 2 Year Period" dates]

In accordance with the DOT regulations, School District's request, and the Driver/Applicant's Consent, the Company reports the following results of drug and alcohol tests conducted on the above named Driver/Applicant by this Company during the above designated "Relevant 2 Year Period."

(i) Past Alcohol Test Results: No alcohol tests conducted during relevant period
Date of Test: _____ 0.04 or greater Negative Refused to be tested
Date of Test: _____ 0.04 or greater Negative Refused to be tested

(ii) Past Drug Test Results: No drug test conducted during relevant period
Date of Test: _____ Verified Positive Negative Refused to be tested
Date of Test: _____ Verified Positive Negative Refused to be tested

(iii) Refusals to Submit: (Note: Refusals to submit include verified adulterated or substituted drug tests)
 No refusal to submit to drug and/or alcohol test during relevant period
 Refusal to submit to drug and/or alcohol test during relevant period, on the following dates:
Date of Refusal: _____ Nature of Refusal: _____
Date of Refusal: _____ Nature of Refusal: _____

(iv) Any Other Violations of DOT Agency Drug and/or Alcohol Testing Regulations:
 No such violations during period specified
 Violations occurred during relevant period, on the following dates:
Date of Violation: _____ Nature of Violation: _____
Date of Violation: _____ Nature of Violation: _____

(v) Completion of DOT Return-to-Duty Requirements, including follow-up tests:
 Not Applicable, no violations occurred during period specified
 Not Applicable, violation(s) occurred during period specified, but Company has no record of successful completion of return-to-duty requirements
 Documents are attached; violation(s) occurred during period specified, and Employee successfully completed return-to-duty requirements

Date Name of person completing form (type/print) Title (type/print)

Personnel - All EmployeesSmoking Prohibition

This policy is promulgated pursuant to authority granted to the Stanton Community School District Board of Education and in compliance with the Nebraska Clean Indoor Air Act.

Smoking shall be prohibited in the Stanton Community School District buildings. Private, enclosed offices are not exempt from this policy. There shall be no designated smoking areas within any of the Stanton Community School District buildings, for employees, students, visitors to the schools, and/or the general public. Smoking shall also be prohibited in the stands and bleachers at the football field. This policy shall apply at all times whether school is in session or not.

Legal Reference: 71-5701

Personnel - All EmployeesBloodborne Pathogen Compliance Plan**BLOODBORNE PATHOGEN COMPLIANCE PLAN
FOR THE SCHOOL SETTING**

In December 1991, the Occupational Safety and Health Administration (OSHA) issued safety standard regulations for the handling of bloodborne pathogens (Federal Register, 1910.1030) by entities subject to its control. It is the intent of Stanton Community School District to eliminate or minimize occupational exposure to bloodborne pathogens including, but not limited to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

EXPOSURE CONTROL PLAN

Stanton Community School District establishes this written exposure control plan to eliminate or minimize occupational exposure to bloodborne pathogens. The school district's exposure control officer is the building principal. A copy of the exposure control plan will be available and is located in the School Offices. The exposure control plan will be reviewed annually and includes the following:

- A. Exposure Determination
- B. Training of Employees
- C. Hepatitis B Vaccination
- D. Occupational Exposure
- E. Post-exposure Evaluation and Follow-up
- F. Record keeping
- G. Control Methods

EXPOSURE DETERMINATION

All job classifications in which it is reasonable to anticipate that blood or other infectious body fluids will come in contact with an employee's mucous membranes (eye, nose, mouth); skin; or through parenteral contact (piercing mucous membranes or the skin barrier through needlesticks, human bites, cuts, abrasions, etc.) while performing job duties will be included in the plan. Other potentially infectious materials include body fluids such as cerebral spinal fluid, amniotic fluid, semen, vaginal secretions, respiratory secretions and saliva, tears, vomitus, urine, feces, drainage from wounds, and any fluid containing blood.

1. School personnel likely to experience occupational exposure shall be those who are designated to deal with "bloodborne pathogen situations" ("designated employees"); the persons so designated are: school nurses, primary first aid providers, custodians, athletic trainers, coaches, P.E. teachers, bus drivers, playground supervisors, and special education teachers or paraprofessionals who work with exceptional children.
2. School personnel unlikely to have occupational exposure include all employees not listed in

paragraph "1" above ("non-designated employees"). All non-designated employees shall refer bloodborne pathogen situations to a designated employee, and shall not be required to personally render first aid in bloodborne pathogen situations or be disciplined for failure to personally render first aid in bloodborne pathogen situations.

3. An employee who has an employment related bloodborne pathogen exposure incident (an incident in which another person's blood or other potentially infectious material contacts the employee's eye, mouth, mucous membrane, non-intact skin, or pierced mucous membrane or skin barrier) shall promptly give notice of the incident and details of the incident to the superintendent or the superintendent's designee.

TRAINING OF EMPLOYEES

Stanton Community School District will require all identified employees who, in the performance of their duties, may have occupational exposure to participate in a training program at the time of the initial assignment to such duties. The training program will:

- a. Be provided at no cost to employees.
- b. Occur annually, within one year of previous training.
- c. Be conducted by an individual knowledgeable in the subject area, as it applies to the school setting.
- d. Contain the following elements:
 1. An accessible copy of the regulatory text of this standard and an explanation of its contents.
 2. A general explanation of the epidemiology and symptoms of bloodborne diseases.
 3. An explanation of the modes of transmission of bloodborne pathogens.
 4. An explanation of the employer's exposure control plan and the means by which the employee can obtain a copy of the written plan.
 5. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials.
 6. An explanation of the use and limitations of methods that will prevent or reduce exposure including appropriate engineering controls, work practices, and personal protective equipment.
 7. Information on the types, proper use, location, removal, handling, decontamination and disposal of personal protective equipment.
 8. An explanation of the basis for selection of personal protective equipment.
 9. Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, and that the vaccine and vaccination will be offered free of charge.
 10. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.
 11. An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available.
 12. Information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident.

13. An explanation of the signs and labels and/or color coding denoting containers of regulated waste.
14. An opportunity for interactive questions and answers with the person conducting the training session.

HEPATITIS B VACCINE

Stanton Community School District will offer Hepatitis B vaccine at no cost to school personnel identified as likely to experience occupational exposure in the performance of their duties. The vaccine will be made available after the employee has received the required training and within 10 working days of the work assignment. The employee may decline to receive the vaccine if he/she wishes to do so, if he/she previously received the complete Hepatitis B vaccine series, if antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons. An employee who initially declines the Hepatitis B vaccination may receive the vaccine, at no cost, at a later date if job duties continue to be covered by the standard. Vaccine shall be given under the supervision of a licensed health care professional.

OCCUPATIONAL EXPOSURE

Occupational exposure relates to the reasonable anticipation that blood or other infectious body fluids will come in contact with an employee's mucous membranes (eye, nose, mouth), skin, or through parenteral contact (skin piercing) while performing job duties.

If an exposure would occur by staff or student, the following should occur:

1. Wash exposed area immediately with soap and water.
2. If mucous membrane, irrigate or wash thoroughly.
3. Report exposure immediately. The post-exposure evaluation must occur within 24 hours.
 - a. If a student:
 1. Notify principal and parent or guardian.
 2. Recommend medical provider be consulted.
 - b. If an employee:
 1. Report immediately to the principal.
 2. Complete the post-exposure incident report form.
 3. Follow a post-exposure evaluation and follow-up plan.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

Following the report of an exposure incident, Stanton Community School District will make a confidential medical evaluation and follow-up available to the exposed employee. This evaluation and follow-up shall be:

- a. Made available at a reasonable time and place within 24 hours of the exposure.
- b. Performed by a licensed physician or trained health care professional.

RECORD KEEPING

Documentation of personnel participation in the training program will be maintained for 3 years from the date on which the training occurred and include:

1. Dates of training sessions.
2. Contents or summary of training sessions.
3. Names and qualifications of persons conducting the training.
4. Names and job titles of all persons attending.

Confidential medical records will be maintained and kept separate from the personnel file for each employee for at least the duration of employment plus 30 years. This record will include:

1. The name and social security number of the employee.
2. Information regarding Hepatitis B vaccination status.
3. Documentation of exposure incident.
4. Medical evaluation and follow-up.

CONTROL METHODS

Universal precautions (UP) are practices and procedures established to assist in the prevention of contact with blood and other body fluids. Although the risk of exposure to bloodborne pathogens (HIV & Hepatitis B) in the educational setting is low, safe work practices require the assumption that all blood or body fluids be considered potentially infectious (blood, any fluid containing blood, cerebral spinal fluid, amniotic fluid, semen, vaginal fluids, feces, urine, vomitus, drainage from wounds, respiratory secretions and saliva).

The following safe work practice and engineering controls are identified to protect students and school personnel from exposure to blood and body fluids which could potentially cause infectious disease. Universal precautions will be employed at all times by employees of Stanton Community School District. Appropriate personal protective equipment will be provided for personnel.

HANDWASHING

Handwashing is thought to be the most important procedure in preventing the spread of infection.

Hands should always be washed when:

1. Hands are soiled.
2. Handling or preparing food.
3. Eating.
4. Blowing or wiping nose.
5. Using toilet, assisting students with toileting needs, or diapering.
6. Coming in contact with contaminated equipment.
7. Skin contacts blood or body fluids.
8. After gloves are removed.

Proper hand washing procedure:

1. Wet hands with warm water.

2. Apply soap, lather hands & wrists.
3. Scrub all surfaces of hands, between fingers, under fingernails for a minimum of 15 seconds keeping hands and fingers pointed down.
4. Rinse hands and wrists thoroughly with warm water, allowing water to flow from wrist down.
5. Dry hands well and air dry or single-use paper towel, turning off faucet using towel before discarding to prevent recontamination.

BARRIERS

When possible, direct contact with blood and body fluids should be avoided. Barriers reduce the risk of contact as well as control the spread of infection between individuals.

1. Wear disposable gloves when direct contact with blood or body fluids, handling soiled clothing or equipment, toileting children, or when regularly exposed to a student's saliva or oral cavity. If unanticipated contact occurs, wash hands immediately following contact. Gloves should be removed without touching the outside or other objects. Dispose after each use.
2. Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised. They should be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration.
3. During CPR procedures, the use of a one-way protective shield is recommended.
4. Spill-resistant gowns, masks and protective eyewear should be used when splashing, spraying, spattering or airborne droplets of potentially infectious material is anticipated. It is recommended that at a minimum, one set, containing a gown, mask, and protective eyewear, should be available for use in a serious emergency (the size and layout of a building may require greater availability).

Personal protective equipment is available in the following location/s: All classrooms, offices, gyms. Additional materials are available with the custodian.

BLOOD AND OTHER POTENTIALLY INFECTED MATERIAL SPILL CLEANUP:

1. Wear disposable or utility gloves. Do not reuse disposable gloves. Disinfect utility gloves after use.
2. Use disposable (paper) towels and other absorbent materials to absorb spill.
3. Saturate the spill with a 1:10 household bleach solution prepared daily or other EPA approved disinfectant and allow to disinfect for 10 minutes **before** agitating the spill.
4. Disinfect the surface after the spill has been removed. Allow the disinfectant to work 10 minutes before wiping dry with disposable (paper) towels.
5. Rugs contaminated with body fluids should be cleaned by applying an absorbent compound. Saturate the spill with an EPA approved disinfectant appropriate for rug/carpet use for 10 minutes. Allow to dry as directed. Vacuum or mechanically remove with dust pan and broom. Apply EPA approved disinfectant appropriate for rug/carpet use for 10 minutes. Revacuum when dry.
6. Dispose of waste (gloves, paper towels, etc.) in leakproof plastic bag.
7. Clean and disinfect reusable equipment (mops, buckets, etc.)

8. Wash hands thoroughly with warm water and soap.

CLEANUP OF OBJECTS CONTAMINATED WITH BLOOD OR OTHER POTENTIALLY INFECTED MATERIAL (i.e., athletic equipment):

1. Wear disposable or utility gloves. Do not reuse disposable gloves. Disinfect utility gloves after use.
2. Discard contaminated items that cannot be cleaned or disinfected into lined container.
3. Disinfect the object using EPA approved disinfectant or 1:10 household bleach solution prepared daily.
4. Allow disinfectant to work 10 minutes before wiping dry.
5. Dispose of contaminated materials in leakproof plastic bag.
6. Wash hands thoroughly with warm water and soap after gloves are removed.

FIRST AID/HEALTH CARE

Whenever possible and appropriate, employees should practice self-management of injuries and should teach students the same. The principle of self-management includes self treatment, cleaning and disposing of contaminated materials to avoid contact by a second party.

When that is not possible:

1. Wear gloves.
2. Use paper toweling or gauze pads to wipe injury and, if appropriate, allow student to rinse injury with running water.
3. Place soiled materials in a plastic bag lined waste container.
4. Soiled clothing should be removed and placed into a plastic bag, secured, and sent home.
5. Assist in cleaning affected area and applying bandage as necessary.
6. Dispose of gloves along with other soiled materials in plastic lined waste container, secured, and disposed of properly.
7. Wash hands thoroughly after removing gloves.

Contaminated waste is any material which has been soiled with blood or other potentially infectious material which cannot be disinfected. This waste may be placed in a leakproof plastic bag and placed in the trash unless it meets the definition of regulated waste. Regulated waste is defined by OSHA as liquid or semi-liquid blood or other potentially infectious materials and caked dried blood capable of releasing these materials during handling or contaminated sharps. If regulated waste is generated, it must be properly identified by using a red bag, biohazardous label, or sharps container. This waste must be disposed of according to state and local ordinances.

Contaminated work surfaces in the health office-first aid area shall be decontaminated with an appropriate disinfectant after completion of procedures, immediately or as soon as feasible when surfaces are contaminated and at the end of each school day.

Eating, drinking, storing of food and drink, applying cosmetics or lip balm, and the handling of contact lenses should be prohibited in areas where there is a reasonable likelihood of

occupational exposure (areas where first aid is provided).

Contaminated Sharps (broken glass, needles, lancets, knives, blades)

1. Tongs or dust pan and broom should be used to pick up contaminated sharps such as blood-covered broken glass to avoid direct contact.
2. Gloves should be worn when handling contaminated sharps.
3. Needles, lancets and other contaminated sharps should not be bent, recapped or removed.
4. A student who generates his/her own regulated waste (self glucometer use, self insulin injection, etc.) should transport the waste home daily for disposal.
5. All other sharps should be placed in a puncture-resistant, labeled, leak-proof container, able to be closed after each use. A sharps container should be available and when used, disposed of properly according to state and local ordinances.

Clothing/Laundry

Student clothing and other nondisposable items soaked with body fluids should be placed in plastic bags and sent home. If rinsing or presoaking is needed for items laundered at school, wear gloves. Clothes contaminated with body fluids, should be washed separately from other items. Wash as usual, add 1/2 cup bleach to wash cycle if bleachable. Add 1/2 cup non-chlorine bleach if unbleachable.

Diaper Changing Procedure

1. Wear disposable gloves.
2. Place student on a clean changing table using waterproof pad with two lean papers towels for each change.
3. Remove the soiled diaper and place in a plastic bag.
4. If other clothing is soiled, place in a plastic bag and mark with the child's name.
5. Clean skin in diaper area using individual disposable wipes or other cleansers provided by parents when special consideration to skin cleansing is needed for an individual student and apply clean diaper.
6. Wash pad after each change with soap and water and follow with 1:10 household bleach solution prepared daily or EPA approved disinfectant.
7. Remove gloves and place in plastic bag.
8. Wash hands with soap and water before and after diaper change.
9. Never leave child unattended on the changing area.
10. Supplies should be stored close to the changing area and out of the child's reach.
11. Report any abnormal conditions (blood or pus in diaper area, diarrhea, light colored, black or tarry stools, skin rashes, bruises or breaks in the skin).

Toy Sanitation Technique

If children drool and mouth toys, special consideration for the sanitation of the toys should follow:

1. Sanitize by putting through a dishwasher cycle.
2. If dishwasher is not available:
 - a. Wear gloves and wash toys with soap and water.

- b. Rinse with hot water.
- c. Soak in a 1:100 bleach solution 10 minutes.
- d. Air dry.

Dishwashing Sanitation Technique

If it should be necessary to wash dishes in the classroom, the following should be followed:

1. The dishwashing area should be separate from the handwashing area.
2. Dish pans should be used.
3. Wash in hot soap and water.
4. Rinse with hot water.
5. Soak in a 1:100 bleach solution 10 minutes.
6. Drain and air dry.

Disinfectants

1. All cleaning supplies must be kept in labeled containers.
2. All cleaning supplies must be kept out of the reach of students in locked cabinets.
3. Custodial staff will follow guidelines from their department as it relates to disinfectants.
4. If household bleach water is used as disinfectant, it must be prepared daily.
5. The ratio of bleach to water for a disinfectant solution is 1:10. A ratio of 1:100 bleach solution is considered a sanitizing solution.

INFECTION CONTROL PRACTICES OUTSIDE THE CLASSROOM

The following guidelines should assist specific personnel in practicing good hygiene and helping limit the spread of communicable disease.

Blood Brother Rites

It should be noted that some students may practice "blood brother" type rites where they wish to share small amounts of blood from finger pricks with each other. This practice should be discouraged.

Bus Drivers

The potential spread of communicable disease on a school bus is primarily confined to inappropriate handling of body fluids. Bus drivers can play an important role in reducing this risk.

Buses should be equipped with the following supplies:

1. Tissues
2. Dry absorbent compound
3. Disinfectant
4. Large plastic garbage bags
5. Antiseptic towelettes such as hand wipes or liquid alcohol cleansing agents (e.g., Hibistat, etc.)

6. Disposable gloves

In the event that a child vomits or loses bowel or bladder control, the following steps should be followed in handling the body fluids:

1. Assist the child in cleaning his/her face and hands with the use of handiwipes. Wear gloves if direct contact with the body fluid is possible.
2. Segregate the child as much as possible from other children on the bus, but make certain that he/she can be observed by a responsible individual at all times in case additional assistance is needed.
3. Cover the body fluid with dry compound and large plastic garbage bag.
4. Clean hands using handiwipes or liquid alcohol agent.
5. Wearing disposable gloves, completely clean and disinfect the area when the bus arrives at school or other appropriate location. Use a 1:10 solution of household bleach prepared daily or an EPA approved disinfectant. For surfaces where such a solution is not recommended, alcohol may be substituted. Do not use canned aerosol solutions. Solutions in a "pistol grip" hand spray bottle are preferred.
6. Any supplies used to clean the child or the area (towels, paper towels, tissues, disposable wipes) should be placed in a plastic bag, sealed and properly discarded.
7. Finally, wash hands thoroughly with soap and water even if gloves were worn during the cleaning process.

Custodians

Personnel that are involved in the general maintenance and cleaning of the school building play a vital role in controlling the potential spread of disease. It is important that these individuals practice good technique when handling waste materials and cleaning the building.

General guidelines include:

1. Clean and disinfect mop buckets at the end of each day and when there is gross soil.
2. Change wet mops after every 5 hours of use or after mopping gross soil.
3. Use an EPA approved disinfectant in the mop buckets.
4. Hang mops and dust mops so as to not leave them resting with the mop bucket, sink or on the floor.
5. Empty waste cans daily.
6. Wear gloves for pulling trash, cleaning restrooms, or any activity where employees may come in contact with body fluid.
7. Garbage and waste can liners should be changed daily.
8. Restrooms should be cleaned and disinfected daily. Employees should wear utility gloves which should be disinfected after each use.
9. Materials used in body fluid spill cleanups should be discarded into a plastic trash bag. All tools used in the cleaning should be disinfected after each use.
10. Sinks, drinking fountains, and showers should be disinfected with 1:10 bleach solution prepared daily.

Dietary Workers

Personnel that prepare or serve food in the school setting play a key role in preventing the contamination of foods or eating utensils; thereby, reducing the spread of certain diseases. Guidelines for individuals that handle foods include:

1. Wear clean clothes and a hair net.
2. Keep fingernails short and clean.
3. Always work with clean hands, and wash them thoroughly after using the toilet or handling raw foods.
4. Never work around food when ill.
5. Keep hands away from mouth, nose, and hair.
6. Cover coughs and sneezes with tissues, follow by handwashing.
7. Never use cooking utensils to taste food while cooking or serving, lick fingers, or eat while preparing foods.
8. Avoid manual contact with unpackaged food by the use of tongs, scoops, forks, etc.
9. Wear gloves when sorting silverware.

Basic principles to follow in the general housekeeping of the kitchen:

1. Mop the floor surface daily and as needed.
2. Clean and sanitize storage areas on a fixed schedule.
3. Clean ranges and grills after each use.
4. Sanitize all work surfaces, utensils, and equipment after each use.
5. Dispose of waste in waste cans with plastic liners.

Drama

Make-up equipment such as sponges, eye or lip make-up applicators should not be shared. If student has acne or open lesions on face, eyes, or mouth, this recommendation is especially important. Individual portions of make-up will be most effective at preventing the transmission of bacteria and viruses.

Ear Piercing

1. Discourage the practice of ear and other piercing by students. If a student is planning to have this procedure performed, advise that it be done professionally.
2. Discourage the practice of trading earrings.
3. If a student is having gross discharge from a pierced ear opening, he/she should clean the ear with soap and water, rinse with alcohol, dry and apply band-aid. Encourage student to keep hands away from ear after cleaning. Materials used for cleaning should be placed in a plastic-lined garbage receptacle or an individual plastic bag which can be sealed. Student should wash hands after procedure. Encourage student to seek medical attention as antibiotics may be indicated.
4. If minor discharge from ear lobe, encourage student to clean as above and to periodically apply antiseptic solution. Remind student to keep hands away from ear.

Sciences

If blood stick procedures are used in science classes for special projects (microscopic exam of student's own blood cells, blood typing, etc.) only single use, sterile lancets should be used. Special precautions should be given to thorough hand-washing before and after procedure, proper cleaning of blood spills, safe disposal of lancets in a puncture-proof container, covering wound with band-aid.

Sports/Physical Education

Participation in sports and physical education activities can pose an increased risk for the transmission of communicable disease. The specific risks are related to a number of variables including the type of sport, individual characteristics of students, equipment used, and physical facilities available.

Depending upon these variables, factors that can contribute to the spread of disease are:

- Degree and length of direct physical contact (wrestling versus tennis)
- Sharing of uniforms or equipment
- Using common drinking cups. This does not pose a threat in the transmission of bloodborne diseases, but can perpetuate the transmission of other communicable diseases.
- Contacting uniforms and equipment that has not been adequately cleaned.
- Compromised locker room hygiene

Teachers and coaches in these situations are in a key position to help prevent the spread of communicable diseases. Specific steps that can be taken include:

1. Avoid the use of shared drinking cups.
2. Establish and monitor a regular schedule for students to take uniforms home to be laundered.
3. Assure adequate supply of soap and towels in locker rooms.
4. Insist locker rooms be cleaned and disinfected daily.

Athletic Situations

It is recommended that students with open lesions (cuts/sores/acne) do not participate in close physical contact sports unless:

1. The lesions are dry or
2. The lesion can be appropriately dressed (e.g., with band-aid or gauze) in a secure manner.

Handling of Body Fluid Spills During Sports:

Items to have on hand:

1. Disposable gloves
2. Garbage bags with seal/twist
3. Paper towels
4. Soap and water

5. Alcohol
6. Bleach or other disinfectant

General Guidelines:

1. Do not use a common towel for wiping sweat or secretions during sports.
2. Do not use common water bucket for cleaning wounds.

Blood Spill On Another Athlete:

1. If an athlete sustains any open skin lesions which have come into contact with blood or saliva of another athlete, wash thoroughly, scrubbing the skin with soap and running water. Alcohol skin cleansers should be applied.
2. If athlete's skin at area of blood contact is intact, have that athlete wash off his own skin with soap and water.
3. If athlete gets blood in eye or mouth, flood exposed part for 1 to 2 minutes under running water.

If vomitus is involved, observe the same procedures (1-3).

Blood Spill on Clothing of Either Athlete:

1. Athlete to remove soiled garment. Wash skin under areas of soiling with soap and water and put on clean garment.
2. Placed soiled garment in plastic bag, seal bag, set aside for later attention.
3. Clothing soaked with body fluids should be washed according to procedure. If clothing is to be washed at student's home, a copy of these guidelines should be sent to the home.

Blood Spill On Surfaces, Equipment (mats, footballs, etc.):

1. Wear disposable or utility gloves. Do not reuse disposable gloves. Disinfect utility gloves after use.
2. Use disposable (paper) towels and other absorbent materials to absorb spill.
3. Saturate the spill with a 1:10 household bleach solution prepared daily or EPA approved disinfectant and allow to disinfect for 10 minute **before** agitating the spill.
4. Disinfect the surface after the spill has been removed. Allow the disinfectant to work 10 minutes before resuming use. Items may be washed/rinsed again.
5. Dispose of gloves and all other disposable cleaning materials in plastic bag, secure and give to custodian for disposal.
6. Place any non-disposable cleaning materials in separate bag, secure and treat with disinfectant.
7. Wash hands thoroughly.

Soak towels in bleach solution (add 1/2 cup bleach per load) for 10 minutes. Follow with regular washing procedure.

Personnel - All EmployeesInfectious Diseases

In the event that a student, employee, or other persons in frequent contact with students, employees or others present in Stanton Community School District contracts an infectious disease, the determination of whether that person should be permitted to attend school or participate in school activities shall be made on a case-by-case basis. The following factors will be taken into consideration:

1. The behavior, neurological development, and physical condition of the student;
2. The expected type of interaction with others in the school setting;
3. The impact on both the infected person and others in that setting.

The determination of whether or not the infected person remains in the school shall be based on scientific and medical evidence.

When it is determined that an infected student poses an imminent threat to the health and safety of the school community or that the student's conduct presents a clear threat to the physical safety of himself, herself, or others, the provisions of Communicable Disease and Immunization, Physical Examinations and Health Screenings Policies shall be implemented, providing for the exclusion of that student. Any person with an infectious disease will retain the rights of confidentiality and privacy, limited to individuals in a need-to-know position (administrators and board members). The community shall be informed that an infectious disease is present in the school system and that the person will be excluded if the situation warrants such action, based on medical and legal advice. No information will be given out about the individual, his or her specific medical record, or about the family without the written permission of the individual (adult) or parent/legal guardian (student).

Reference: Neb. Rev. Stat. § 79-264 and § 79-265

Personnel-All EmployeesPersonnel Files

Any teacher, administrator, or full-time employee of any public school district shall, upon request, have access to their personnel file and shall have the right to attach a written response to any item in such file, and may in writing authorize any other person to have access to such file, which authorization shall be honored by the district. Such access and right to attach a written response shall not be granted with respect to any letters of recommendation solicited by the employer which appear in the personnel file. No other person except school officials while engaged in their professional duties shall be granted access to such file nor shall the contents thereof be divulged in any manner to any unauthorized person.

Legal Reference: 79-539; 79-8,109

Personnel - All EmployeesReceiving Agents, Salespersons, and Other Business Representatives

No school employee shall visit with or discuss business matters of a personal nature with any sales representative during the hours the employee is on duty in the school, except by special permission of the Superintendent or building principal.

Any agent or business representative calling on school personnel about school matters, such as, textbooks, publication of the school annual, class insignia, athletic equipment, school equipment, school supplies, building and custodial supplies, and the like, shall first obtain the permission of the Superintendent or building principal and it is the duty of the school employee to ascertain that the representative has such permission. In general, a teacher shall not interrupt class work to confer with such representatives.

Personnel - All Employees

Unauthorized Purchases

Any employee who orders any supplies or equipment without express authorization of the Superintendent or building principal may be personally liable for payment of the bill for the material so ordered.

Personnel - All Employees

Use of School Facilities and Equipment by School Employees

The Superintendent, may approve use of school facilities, equipment and other resources by school employees, except for activities which result in personal or corporate gain and provided that such use is consistent with Policy No. 1100.

School vehicles shall not be available for personal use.

Personnel - All EmployeesActivity Passes

All employees and Board of Education members of Stanton Community School District may be given an activity pass which will admit the employee and Board of Education member and spouse to school activities. The activity pass may be used only by the person whose name appears on the pass.

All employees who worked at least 20 years for the Stanton Community School District and all Board of Education members who were elected to and served a four-year term will be given a lifetime activity pass to all home events except for hosted tournaments.

Also, activity passes will be given to unpaid officials who perform frequently at athletic events (scorekeepers, public address personnel, photographers, physical therapist, volunteer coaches, football chain personnel, activity bus drivers).

Community RelationsPolitical Activity

The Board requires that staff members who desire to seek public office or to engage in other political activity likely to interfere with their normal work requirements seek prior Board approval.

In order to guard against placing students or staff members under undue pressure to adopt particular positions on political issues, the Board directs that employees avoid using their positions or their access to school materials or facilities for solicitation, promotion, recruiting or to otherwise work for the election or defeat of any candidate for public office or to influence the outcome of an election or a decision by a governing body on a political issue. Specifically, employees are restricted from the use of the following for such purposes.

1. Their position, whether as an instructor or as a leader or supervisor of other employees;
2. Classrooms, buildings or facilities;
3. Students; or
4. School equipment, materials or mailing systems.

These restrictions do not apply to employees who are engaged in authorized lobbying activities on behalf of the district. The restrictions also do not apply to the distribution of employee association correspondence or newsletters in the normal course of association business, even though those communication media may contain information concerning adopted positions of the association on political issues.

Personnel - All EmployeesFair Labor Standards Act (Minimum Wage & Overtime)

Work week: The work week for overtime purposes shall be 12:00 a.m. Sunday until 11:59 Saturday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime: Overtime will be paid to non-exempt employees as required by law. Compensatory pay in-lieu of overtime pay may be implemented in accordance with law. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor.

Salaried Basis: The District's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. (Teaching professionals are not subject to the "salaried basis" test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Superintendent or the Superintendent's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The District's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

Legal Source:

Fair Labor Standards Act, 29 U.S.C. § 201 et seq.;
29 CFR §§ 541.303; 541.602; 541.603; 541.710; 553.20-.28; and 771.105

Personnel - All EmployeesShredding Consumer Reports

It is the policy of Stanton Community Schools to take reasonable measures to protect against unauthorized access to consumer information from consumer reports.¹ A consumer report includes criminal background checks performed on applicants or employees by a third party. It does not include criminal checks performed by school staff.

Reasonable measures to protect against unauthorized access to or use of consumer information in connection with its disposal include the following examples. These examples are illustrative only and are not exclusive or exhaustive methods for complying with this directive.

1. Shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed. Burning or pulverising such papers are also options where appropriate.
2. Destruction or erasure of electronic media containing consumer information so that the information cannot practicably be read or reconstructed.
3. After due diligence,² entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material in a manner consistent with this directive.

This policy does not require that the consumer reports information be disposed of; rather, it specifies the action to be taken whenever such disposal occurs. Questions regarding the disposal of consumer reports information should be directed to the Superintendent or the Superintendent's designee.

Legal Reference: FTC Rule on Disposal of Consumer Report Information and Records, 16 CFR Part 682

¹ "The term 'consumer report' means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for . . . (B) employment purposes." Fair Credit Reporting Act, 15 U.S.C. § 1681a(3).

² The FTC rule states: "In this context, due diligence could include reviewing an independent audit of the disposal company's operations and/or its compliance with this rule, obtaining information about the disposal company from several references or other reliable sources, requiring that the disposal company be certified by a recognized trade association or similar third party, reviewing and evaluating the disposal company's information security policies or procedures, or taking other appropriate measures to determine the competency and integrity of the potential disposal company."

Personnel - All EmployeesSocial Security Numbers

Employee social security numbers shall be kept confidential to the extent required by law. Use of use more than the last four digits of an employee's social security number shall be made by the District only for:

1. Legal Mandates. Compliance with state or federal laws, rules, or regulations.
2. Internal Administration. Internal administrative purposes, including provision of employee social security numbers to third parties for such purposes as administration of personnel benefits and employment screening and staffing. However, the internal administrative uses shall not permit use of employee social security numbers:
 - a. As an identification number for occupational licensing.
 - b. As an identification number for drug-testing purposes except when required by state or federal law.
 - c. As an identification number for District meetings.
 - d. In files with unrestricted access within the District.
 - e. In files accessible by any temporary employee unless the temporary employee is bonded or insured under a blanket corporate surety bond or equivalent commercial insurance.
 - f. For posting any type of District information.
3. Voluntary Transactions. Commercial transactions freely and voluntarily entered into by the employee with the District for the purchase of goods or services.

The District will not use or require an employee to use more than the last four digits of an employee's social security number District for:

1. Public Posting or Display. Any public posting or display available to the general public or to an employee's coworkers.
2. Internet Transmission. Transmission over the Internet unless the connection is secure or the information is encrypted.
3. Internet Access. To access an Internet web site unless a password, unique personal identification number, or other authentication device is also required to access the Internet web site.
4. Identifier. As an employee number for any type of employment-related activity.

Full implementation of this Policy shall occur by September 1, 2008.

Legal Reference: Laws 2007, LB 674
 5 USCS § 552a (note) (Privacy Act of 1974)

Personnel - All EmployeesMilitary and Family Military Leave

Military leave and family military leave will be granted to the extent required by state and federal law.

Employees requesting military leave must notify the Superintendent as soon as they receive notification of activation. Employees are to attach a copy of their orders to a District leave request form when they prepare the request for military leave.

Employees requesting to take family military leave under the Nebraska statutes must notify the Superintendent at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days, consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the school, and for leaves of less than 5 days, notify the Superintendent of the leave request as soon as practicable.

Family military leave under the Family and Medical Leave Act (FMLA) will be provided in accordance with that law and subject to the provisions of the Board policy pertaining to FMLA leave.

Legal Reference: Neb. Rev. Stat. §§ 55-160 to 55-166;
Neb. Rev. Stat. §§ 55-501 to 55-507
29 U.S.C.A. §§ 2611, et seq. and 29 CFR Part 825
38 USC Sections 4301 to 4333 and 20 CFR Part 1002

Personnel - All EmployeesNotification of Arrest, Criminal Charges, and Certificate, License or Child Abuse Complaints

Employees must notify the Superintendent by the next working day after:

1. Arrest or Criminal Charges. The employee is arrested, ticketed, or issued a criminal charge where:
 - a. The maximum penalty for the crime equals or exceeds six months incarceration;
 - b. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
 - c. Conviction would impact performance of employee's job responsibilities, including offenses that:
 - i. Would impact the responsibility to be a role model for students;
 - ii. Would impact the employee's ability to operate a motor vehicle if the employee at times needs to travel during duty time or the employee at times drives our students, including on extracurricular activities; or
 - iii. Would impact the employee's Commercial Drivers License if the employee's job requires that the employee have a CDL.
 - d. The arrest or the alleged criminal activity occurred while the employee was on duty, on school property or in a school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.
 - e. Employees must also promptly report to the Superintendent whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense was not otherwise reportable.
2. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee's position. This includes proceedings of the Nebraska Department of Education related to an alleged violation of the NDE Standards of Conduct and Ethics, Chapter 27, and proceedings of the Health and Human Services related to an alleged violation of the professional standards of conduct for the employee's position.
3. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act.

Further, employees must give full disclosure of any Child Protection Act investigation that resulted in an "inconclusive" determination that occurred at any time. Current employees must give such disclosure within ten days following adoption of this Policy. As a condition of employment, applicants for employment must give such disclosure

prior to commencement of employment. Any hiring made without such disclosure shall be subject to being immediately revoked in the event the required disclosure was not given.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Superintendent of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, up to and including termination.

Personnel - All Employees

Wage and Deduction Information

Within ten working days after a written request is made by an employee, the Superintendent or designee shall furnish the employee with an itemized statement listing the wages earned and the deductions made from the employee's wages for each pay period that earnings and deductions were made. The statement may be in print or electronic format.

Legal Reference: Neb. Rev. Stat. § 48-1230

Personnel - All EmployeesProfessional Boundaries Between Employees and Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school-related activities, such as the student's homework, class activity, school sport or club, or other school-sponsored activity. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student's grades).
- Engaging in social-networking friendships with a student on MySpace, Facebook, or other social networking site. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children.
- Engaging in sexual activity, a romantic relationship, or dating a student or a former student within one year of the student graduating or otherwise leaving the District.
- Making any sexual advance – verbal, written, or physical – towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing with a student sexual topics that are not related to a specific curriculum.
- Telling sexual jokes to a student.
- Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Being overly "touchy" with a specific student.

- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with the student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- Giving a student a ride in the employee's personal vehicle without express permission of the student's parent or school administrator unless another adult is in the vehicle.
- Taking a student on an outing without obtaining prior express permission of the student's parent or school administrator.
- Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- Going to the student's home when the student's parent or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children who are students in the District.

Personnel - All Employees

Prohibition on Aiding and Abetting Sexual Abuse

A school employee, contractor, or agent of the school district is prohibited from assisting another school employee, contractor or agent in obtaining a new job if the individual knows or has probable cause to believe, that such other employee, contractor, or agent engaged in sexual misconduct with a minor or student in violation of the law.

“Assisting” does not include the routine transmission of administrative and personnel files.

Exceptions to giving such assistance may only be made where the exception is authorized by the Every Student Succeeds Act (for example, where the matter has been investigated by law enforcement and the person has been exonerated and approved by the Superintendent or designee.)

Legal Reference: ESSA sec. 8038, § 8546

Personnel - All EmployeesWorkplace Privacy Policy

1. The District will abide by the Nebraska Workplace Privacy Act and will not:
 - a. Require or request that an employee or applicant provide or disclose any user name or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device;
 - b. Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the District in a manner that enables the District to observe the contents of the employee's or applicant's personal Internet account or provides the District access to the employee's or applicant's personal Internet account;
 - c. Require an employee or applicant to add anyone, including the District, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account;
 - d. Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions prohibited by the Workplace Privacy Act.
 - e. Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

Notwithstanding anything to the contrary, all employees must abide by the District's technology policies, procedures and guidelines, including the District's Internet Use policy and/or practice. Pursuant to the Workplace Privacy Act, the District may also:

- a. Monitor, review, access, or block electronic data stored on an electronic communication device supplied by or paid for in whole or in part by the District or stored on the District's network, to the extent permissible under applicable laws;
- b. Access information about an employee or applicant that is in the public domain or is otherwise obtained in compliance with the Workplace Privacy Act;
- c. Conduct an investigation or require an employee to cooperate in an investigation if the District has specific information about potentially wrongful activity taking place on the employee's personal Internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct;
- d. Any other reason permitted by the Workplace Privacy Act.

Legal Reference: Laws 2016, LB 821

Personnel - All EmployeesEmployee Fundraising

Any employee who directly or indirectly seeks to use their position as a District employee to fundraise (such as through a crowd funding initiative) must obtain prior approval from the Superintendent or Superintendent's designee before taking any action to fundraise.

An employee who receives permission to fundraise shall abide by the following requirements:

- a. The employee shall inform the Superintendent or Superintendent's designee of any content (including online messages or requests) that the employee intends to publish.
- b. The employee shall not violate any District policy, rule or law in any fundraising efforts and shall keep all student information confidential.
- c. The employee must account for any money raised through the approved fundraising effort and shall provide evidence to the Superintendent or Superintendent's designee as to how the money was spent.

District employees who engage in fundraising efforts in their private capacities need not abide by this policy.

Personnel - Certificated Employees

Qualifications for Appointment as Teacher

To be eligible for appointment as a teacher, an applicant must have a minimum of a Bachelor's Degree from an accredited or approved college or university and have a current teaching certificate from the State of Nebraska, Department of Education (or provide satisfactory evidence that these requirements will be in place prior to commencement of duties), and such other certification or license as may be required by law.

Legal Reference: 79-801 et. seq.

Personnel - Certificated Employees

Qualifications for Appointment to Administrative and Supervisory Positions

To be eligible for appointment to any administrative or supervisory position, an applicant must have a minimum of a Master's Degree from an accredited institution of higher learning with graduate training in educational supervision and administration from an accredited or approved college or university and have a current Administrative and supervisory certificate from the State of Nebraska, Department of Education (or provide satisfactory evidence that these requirements will be in place prior to commencement of duties), and such other certification or license as may be required by law.

Legal Reference: 79-801 et. seq.

Personnel - Certificated EmployeesContract

All contracts for employment of a teacher or administrator to be effective must meet the following conditions:

1. The contract must be in writing and contain such provisions as are required by law.
2. The employed person must hold a valid teaching or administrative certificate at all times.
3. The employed person must not be under contract to another district in this state.
4. The contract must be approved by at least four (4) school Board members and signed by a designated member of the Board.

No member of the Board of Education may cast a vote in favor of the election of any teacher when such member of the Board is related to him or her or to the majority of the Board by blood or marriage.

Legal Reference: 79-817
 79-818
 79-819

Personnel - Certificated Employees

Certification

Each certified staff member shall hold at all times a valid Nebraska teaching or administrative certificate.

Legal Reference: 79-802

Personnel - Certificated Employees

Probationary Certified Employees

During the first three (3) years of employment with the School District, as determined and calculated in accordance with state law, a certificated employee shall be considered a probationary employee. A probationary employee's rights to continued employment status and non-renewal of a probationary employee's contract shall be determined according to law.

Legal: 79-824

Personnel - Certificated Employees

Permanent Certified Employees

A certificated employee who has been employed for the full probationary period as set forth in policy 4120 and in accordance with state law is a permanent certificated employee. A permanent certificated employee's rights to continued employment status and termination of said permanent certificated employee's contract shall be determined according to law.

Legal: 79-824

Personnel - Certificated Employees

Assignment of Duties

The Superintendent shall have the authority to assign and reassign teachers and other staff to extracurricular activities and other specific activities, including supervision of pupils in halls, study halls, playgrounds, work on faculty committees and staff activities, and other duties necessary for the operation of the school.

Personnel - Certificated Employees

Agents/Tutors

Teachers shall not act as agents, or accept commission, royalties, or other rewards for books or other school materials, the selection or purchases of which they may influence.

During the school year, teachers shall not tutor for any additional compensation any student they teach during the school year. Any instruction for which the teacher receives pay as a private tutor should not occur on school property or during the assigned time of the teacher during the school year. (Exceptions must be approved by the Superintendent).

Personnel - Certificated Employees

Student Teachers and Pre-Student Teachers

The district will cooperate with colleges and universities by allowing students who are preparing to teach to devote a reasonable amount of time to training in our schools, provided that this training will in no way impede the satisfactory progress of pupils.

Personnel - Certificated Employees

Substitute Teachers

Persons employed as substitute teachers shall meet such qualifications as are established by law and the State Department of Education and may be employed for periods of time in the absence of the regular teacher.

Rates of compensation for all substitute teachers will be set by the Board by approval of the Substitute Salary Schedule. Substitute teachers will not participate in the health plan or other fringe benefits of the school district.

The Superintendent shall be responsible for recruitment, selection, assignment, orientation and evaluation of substitute teachers.

Legal Reference: Neb. Rev. Stat. §79-808

SUBSTITUTE SALARY SCHEDULE

Substitutes	Local Substitutes
\$72 / ½ Day	\$64.50 / ½ Day
\$124 / Day (First 10 Days)	\$119 / Day (First 10 Days)
\$129 / Day (11-20 Days)	\$124 / Day (11-20 Days)
½ % of Base Salary / Day	½ % of Base Salary - \$5.00 / Day

PersonnelProfessional GrowthRequired Professional Growth Activities

Every six years the teachers in the Stanton Community School District system shall give evidence of professional growth as is approved by the school board in order to remain eligible for continued employment, educational travel, professional publications, work on educational committees, college work, or such other activity approved by the school board may be accepted as evidence of "professional growth".

Professional Growth Period - This refers to each six year period during which teachers are required to give evidence of professional growth. A tenured teacher, upon employment on September 1, begins his/her initial six year growth period at that time, and end it on August 31, six years later. The beginning of the seventh year starts the second six year period.

Professional Growth Points - All teachers must earn a total of 24 professional growth points during each professional growth period. Each activity of professional growth has its own criteria for acceptance and evaluation. It is the individual teacher's responsibility to show that the activity did actually contribute to his/her professional development and to their increased effectiveness in the capacity in which he/she is employed. The requirement of proof may be accomplished in a variety of ways such as: written reports, AV presentations, grade transcripts, etc.

Procedures for Applying for Growth Credit - Application for accreditation of professional growth activities and college credit shall be made on forms prescribed by the Professional Growth Committee. A separate application shall be submitted for each activity for which growth points are requested. Application shall be initiated by the person requesting credit. Any activity not clearly defined as a possibility for professional growth must have preliminary approval before participation by the superintendent and principal. The application, together with substantiating evidence that the work has been completed, shall be given to the principal's office. After the professional growth committee has considered the application, then reviewed and signed by the superintendent, notice will be sent to the applicant of the approval or non-approval. After all the parties have taken action, the application will be filed in the applicant's personal file. Teachers may earn more than twenty-four professional growth points in a six year period and have these recorded on their record if they so request this to the superintendent/or principal.

Professional Growth Committee - A professional growth committee will be appointed by the superintendent. Both principals and two teachers will make up this committee. The teachers will be appointed for a two year period.

Classification of Activities - Listed are the activities for which growth points may be

obtained and in addition, the maximum number of points allowed. The required 24 points may be earned in a single year or over a period of six years. Points earned during one growth period may not be carried over into the succeeding professional period, even though they may have earned in excess of the required number.

Professional Growth

		MAXIMUM POINTS	
		Per/Year	Per/Growth Period
I.	A. College or University courses (One semester hour equals 4 points).	N/A	N/A
	B. Auditing Courses (One semester hour equals 1 point).	N/A	N/A
II.	Professional Meetings.		
	A. Workshops, conferences, conventions & team camps hosted outside of district (1 point/3 hours).	6	12
	B. Workshops hosted within district (1 point/3 hours).	6	9
	C. Following attendance of a workshop hosted outside of district, present the information to the building principal and other staff members in ½ hour presentation (1 point/presentation).	3	6
	D. On-line, TV & Radio Inservice Programs (1 point/3 hours of viewing, listening or completing assignments).	3	6
	E. Professional presentations to adults at a workshop, conference, or convention (2 points/hour).	4	8
III.	Other Approved Activities		
	A. Research (Pre-approval required by superintendent and principal).	4	8
	B. Publications in professional journals and other educationally related material (Pre-approval required by superintendent and principal).	4	8
	C. Have a published article in the school's newsletter that pertains to educational strategies (2 point/published article).	4	8
	D. Submit annually Principal approved professional teaching goals (at least 2) to building principal and show progress by end of school year (2 point).	2	12
	E. Principal approved school visitations (2 point/day).	2	12
	F. Serve on an External Team Committee for another district (2 points/day).	4	8
	G. Serving as a cooperating teacher (6 points/semester).	6	12
	H. Hosting a sophomore experience teacher (3 point/experience).	3	9
	I. Service as an appointive or selective officer of a professional organization (1 point/appointment).	2	6
	J. Participating in school committee work (1 point/3 hours of participation).	4	10
	K. Community services hours (1 point/5 hours of service).	2	6
	L. Other activities not included above may be considered by the Professional Growth Committee after prior approval from the administration.	N/A	N/A

If a staff member attends a workshop or conference for one and one-half hours (1/2 point possible credit), then that workshop may be referred to the Professional Growth Committee, if accompanied by another application from the same category for another one-half point.

No more than 9 growth points can be awarded in the areas of extra-curricular activities in any growth period.

All applications eligible for consideration must be turned into the principal's office during the six year growth period of time.

Stanton Community Schools – Professional Growth Points

Employee Name _____ Beginning Date of Six-Year Period _____ School Year _____

Category #	Date	Professional Growth Activity	College Credit Hours	Clock Hours	Points Requested	Committee Approval
<i>II, A</i>	<i>10/21/05</i>	<i>Crisis Team Training, Level I</i>		<i>6 hours</i>	<i>2 points</i>	
TOTAL POINTS →					<i>Requested</i>	<i>Approved</i>

Employee Signature _____ Date _____

Professional Growth Committee Signatures of Approval:

Chairperson Professional Growth Committee

Building Administrator or Principal

Date of Approval _____

Date of Approval _____

Personnel - Certificated EmployeesTeacher Training

The district shall provide and promote development programs for all professional staff - Superintendent, principals, teachers and the board of education. Features of the staff development program:

1. Staff development resources and time shall be allocated in keeping with the key values and priorities of the district.
2. The staff development program shall concentrate on the programs and practices of effective schools and teaching, goal setting, assessment procedures, evaluation of staff, and the change process.
3. Content shall be selected that has been verified by research to improve student outcomes.
4. Teachers shall be actively involved in initiating, planning, and conducting the development programs for teachers.

Personnel - Certificated EmployeesEvaluation of Teachers

Teaching is the most important element in a sound educational program. Appraisals of teachers' performance of duty, competence, and professional conduct shall be made.

Appraisal of teaching service should serve these purposes.

1. To raise the quality of instruction and educational service to the children of our community.
2. To ensure the quality of the learning environment through classroom organization and management.
3. To ensure that the staff exhibits personal and professional conduct.
4. To aid the individual teacher to grow professionally.
5. To make personnel decisions.

Evaluation of teacher performance must be a cooperative continuing process designed to improve the quality of instruction. The Administration with input from the Teachers shall develop effective evaluation procedures and instruments. Teachers and Administrators shall have the responsibility for the maintenance of professional standards and attitudes regarding the evaluation process.

All certified staff members are involved in the evaluation process. Non-classroom certified staff members are also to be evaluated through a cooperative process.

Therefore, the Board delegates to the Administration the responsibility of developing, organizing and implementing a system-wide program for evaluating certificated staff and the instructional process.

Neb. Rev. Stat. § 79-828 (Evaluation of Probationary Teachers)
NDE Rule 10 (Filing of Evaluation Instrument)

Personnel - Certificated EmployeesCertified - Evaluation Instrument**INTRODUCTION**

Pursuant to Stanton Community School District Board of Education Policy #4150, this Evaluation Handbook is intended to provide staff with a ready reference to the rules, regulations, and procedures of the Stanton Community School District Teacher Evaluation Program. A comprehensive evaluation program has two main purposes: (1) to provide opportunities for self-analysis and self-development so that the individual staff member can develop his/her professional skills and performance to the optimum level; and, (2) to provide for a formal systematic evaluation process to maintain a quality education program.

BOARD POLICY STATEMENT

The Board recognizes that the teaching process is an extremely complex one and that the appraisal of this process is a difficult and technical function. Nevertheless, because it is universally accepted that good teaching is the most important element in a sound educational program, appraisals of teachers performance of duty, competence, and professional conduct shall be made (Nebraska School Law 79-843).

Appraisal of teaching service should serve these purposes:

1. To improve the quality of instruction and educational service to the children of our community.
2. To aid the individual teacher to grow professionally.
3. To make personnel decisions.

Evaluation of teacher performance must be a cooperative continuing process designed to improve the quality of instruction. The teacher shares with those who work with him/her the responsibility for development and maintenance of professional standards and attitudes regarding the evaluation process.

All certified staff members are involved in the evaluation process. Non-classroom certified staff members are also to be evaluated through a cooperative process.

Therefore, the Board delegates to the professional staff the responsibility of developing, organizing, and implementing a system-wide program for evaluating the instructional process.

PHILOSOPHY AND OBJECTIVES**WE BELIEVE THAT:**

The appraisal process should improve the quality of instruction and educational services to the children of our community.

A school system has the responsibility to create a cooperative, working climate which will encourage the individual to improve his/her effectiveness.

Performance appraisal is a continuous, constructive, and cooperative responsibility of both the appraisee and the appraiser.

The appraisee should have the opportunity to use initiative and leadership in helping define his/her goals and selecting the means of their attainment.

The appraisal process should be tailored to the needs of the individual.

Attention should be focused upon specific actions, plans or objectives related to the individual's and the school system's long and short-term goals.

The appraisal process should be a guide for the appraisee and the evaluator in working toward more effective performance and toward a better educational program.

THE SPECIFIC OBJECTIVES OF THE PROGRAM ARE:

1. To focus on the evaluation of performance rather than on the appraisal of personal traits.
2. To identify as early as possible and plan for the kinds of assistance which the appraisee needs most.
3. To plan specific long and short-term goals to bring about improvement.
4. To provide an opportunity for each staff member to assess his/her performance periodically in terms of his/her expectations.
5. To assist the appraisee in gaining a better understanding of the scope of his/her duties.
6. To classify professional performances according to objective, documented evidence into categories: 1 = Meets district standards; 2 = Does not meet district standards.

PROCEDURE

Each year prior to September 1st, the responsible school administrator will communicate to each certified staff member the evaluation procedure to be utilized. To assist teachers in understanding the purpose of teacher evaluation and its relationship to the school district's instructional goals, a copy of the teacher evaluation instrument will be provided to each teacher who will be evaluated.

A. Classroom Observations

Probationary Teachers	One formal observation each semester of not less than one complete instructional period each. These may be announced or unannounced.
Tenured Teachers	One formal observation of not less than one complete instructional period each year. These may be announced or unannounced.

B. Summative Evaluation

Probationary teachers	Once each semester probationary teachers will be evaluated. This summative evaluation will include a written summary of performance as well as a conference with the building principal.
Tenured Teachers	Once each year tenured teachers will be evaluated. This summative evaluation will include a written summary of performance as well as a conference with the building principal. Tenured teachers who receive a does not meet district standards rating on any portion of their summative rating will be automatically placed on the probationary teacher observation and evaluation schedule for the next school year.

All summative evaluations will become a permanent part of a teacher's employment record. Classroom observations will be retained by the building principal and are used as a method of determining the summative evaluation of each teacher. The observations indicated in the program are intended as minimum requirements only, and more frequent observations of the classroom teacher may be made at the discretion of the building principal. Teachers will be given copies of all observations used in determining the final teaching appraisal. A copy of the teachers final summative evaluation will also be given to the staff member. Should a teacher's contract be amended, terminated or not renewed, proper notice as required by law will be given.

C. Evaluations that do not Meet School District Standards

Teachers who receive evaluations that do not meet school district standards of their teaching performance will be given:

1. A Notice of Professional Expectation which will include a description of the problem area.
2. Specific means for the correction of these areas that do not meet district standards. This may include the use of an Intensive Assistance Team.
3. An agreed upon time line for implementing the concrete suggestions given for improvement.

D. Instructional Goals

Prior to the end of the school year each teacher will list a minimum of two instructional goals they would like to work on during the next school year (the building principal has the option of assigning goals for the teacher). These goals will be tied to the evaluation criteria. At the time of the final evaluation conference the teacher and principal will confer concerning how well the goals have been met and what can be done to achieve the goals in the future.

DEFINITIONS

Clinical Supervision - An observation system incorporating the use of anecdotal records, lesson analysis, and a prescriptive conference.

Consultant - A person who assists the evaluator in identifying employee strengths and weaknesses.

Intensive Assistance Team - Shall be comprised of the building principals, superintendent, teachers, and outside consultants at the request of the administration and/or teachers. The purpose of this team will be to provide an intensive and structured plan of action to improve employee performance.

Notices of Commendation - A notice presented by an evaluator to a certified staff member in recognition of outstanding performances.

Notices of Professional Expectation - Official notification of an area or competence needing improvement. Receipt of a notice of professional expectation will result in a conference with the evaluator to discuss the nature of the deficient performance, develop an improvement plan, specify procedures for documenting evidence of improvement, to establish a timeline for completion of the improvement plan, and to create and make use of an Intensive Assistance Team.

Personnel - Certificated Employees

Training for District Evaluators

Each fall, the superintendent of schools shall provide inservice training on staff evaluation to the new district administrators. This training shall include but not be limited to the following:

- Purpose of Evaluation
- Use of the Stanton Community School District Evaluation Instrument
- Techniques and strategies for staff evaluation
- Research trends in teacher evaluation
- Areas of concern and/or interest for the upcoming school year

Personnel - Certificated EmployeesReduction in Force Policy for Certificated Staff

Reductions-in-force of certificated staff member may be required due to decreasing enrollments, limited financial support, changing programs, or other changes in circumstances. If such changes occur and a reduction of certificated staff is necessary, the Superintendent (or his designee) shall recommend to the Board of Education those certificated employees to be reduced under the reduction-in-force provisions of the continuing contract laws; provided, however, that no permanent employee may be reduced through a reduction-in-force while a probationary employee is retained to perform a service in a position that the permanent employee is qualified by certification and endorsement to perform or where certification is not applicable, by reason of college credits in the teaching area.

Due to the often intimate, confidential, and unique personal working relationship necessary between the administration and the Board of Education, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position within the school system.

The selection of personnel to be reduced shall be made with consideration given to the following: (1) programs to be offered, (2) areas of certification and endorsement, (3) state and federal regulations which may mandate certain employment practices, (4) special qualifications that may require specific training and/or experience, (5) contributions to activity programs, (6) qualifications based on past performance and competence as determined by the Principal and/or Superintendent through employee evaluation procedures, (7) the organizational and educational impact created by multiple part time certificated employees, and (8) any other reasons which can be rationally related to the instruction in or administration of the school system.

Employee evaluations (including frequency of evaluations, evaluation forms, and number and length of classroom observations, if applicable) used for purposes of this policy shall conform to the board policies and administrative rules, regulations, and practices (in effect at the time) related to the periodic evaluation of certificated staff members.

If, after consideration of the above, it is the opinion of the Superintendent that no significant difference exists between certificated employees being considered for reduction-in-force, then the employee with the longest uninterrupted service to the district shall be retained. Uninterrupted service time shall accrue the same for all certificated employees regardless of their full time equivalency. Uninterrupted service time for employees employed less than a full school year shall accrue according to the number of contract days worked. Uninterrupted service time shall not accrue for certificated employees on leave of absence for more than forty (40) days.

Any certificated employee whose contract is terminated because of reduction-in-force shall be considered to have been dismissed with honor and shall, upon request, be provided a

letter to that effect. Such employee shall have preferred rights to re-employment for a period of twenty-four months commencing at the end of the contract year and the employee shall be recalled on the basis of length of uninterrupted service to the school to any position for which he or she is qualified by endorsement or college preparation to teach. The employee shall, upon reappointment, retain any benefits which had accrued to said employee prior to the reduction, but such leave of absence shall not be considered as a year of employment by the district. An employee under contract to another educational institution may waive recall but such waiver shall not deprive the employee of his or her right to subsequent recall.

It shall be the responsibility of such certificated employee to file (with the Superintendent of Schools) a copy of said employee's teaching certificate (including endorsements) upon initial employment with the district. On or before March 15th of each year thereafter (for so long as the employee is employed in the school system or has rights of recall) evidence of any changes in said employee's certification or endorsements which have occurred (since March 15th of the previous year) or are pending shall be filed with the Superintendent of Schools.

Any certificated employee whose employment contract is reduced as a result of reductions-in-force shall (during his/her period of recall) report his/her current address to the Superintendent of Schools and shall inform said Superintendent of any changes of address thereafter. If a vacancy in the system occurs for which said employee has rights of recall, the offer of such employment may be sent by said Superintendent to said employee's last known address. If no acceptance of such offer is received from said employee within fourteen days of mailing and the Superintendent has no personal knowledge of the whereabouts of said employee (other than said last known address), the employee shall be deemed to have waived his/her rights to recall to said employment position.

Anything in this policy to the contrary notwithstanding, this policy shall specifically permit and allow reductions in force to occur which deal with total elimination or termination or amendment of contracts or positions, which deal with reductions in force from full-time to part-time, which deal with reductions in force from part-time to a lesser part-time, or which deal with any other reductions in force which result in the termination or amendment of a certificated employee's contract or employment position.

Personnel - Certificated EmployeesLeave of Absence

After a minimum of three (3) years of employment in Stanton Community School District, a teacher may apply for a one-year leave of absence. Criteria to be considered by the superintendent in recommending approval or denial of a request include:

- No more than one Elementary teacher and no more than one Secondary teacher may be on leave during the same year. If more than one request is received from the Elementary or Secondary, the administration shall decide based on factors including the date of application, the reason for requesting leave, the subsequent value to the school district, and seniority;
- Requests for the one-year leave of absence must be submitted in writing to the Superintendent prior to March 1 through the Superintendent;
- A qualified replacement must be found before the leave is approved;
- No salary or benefits will be paid to the teacher by the district during the year of absence. Continued group health insurance may be obtained, subject to the approval of the insurance carrier; the premiums for such insurance shall be paid by the teacher in advance. Upon return, the teacher will be placed on the salary schedule at the vertical step earned prior to the beginning of the leave period;
- A teacher who wishes to return from leave shall notify the Superintendent in writing by March 1. If no such notice is received by March 1, the teacher is considered to have resigned. The school district shall not be responsible for reminding the teacher of the required return notice;
- A teacher returning from leave is not guaranteed the same position held before the leave of absence. However, an effort will be made to arrange for the same or a comparable position placement; and
- A teacher shall enter into a written agreement with the Board of Education setting forth the terms of such leave of absence.

Personnel - Certificated EmployeesDual Sponsorship of Activities

In any instance where more than one teacher is assigned to the sponsorship of an activity for which a stipend is paid, each teacher thereby assigned shall receive payment of the stipend as is specified in the negotiated agreement between the certificated teaching staff and the school district. Should two or more teachers receive administration approval to share the sponsorship of any activity, only an amount equal to one stipend as specified shall be made but shall be equally divided among those teachers sharing the sponsorship.

Personnel - Certificated Employees

Standards of Ethical and Professional Performance – Certificated Staff

Both the State of Nebraska and the Board of Education recognize that teaching and its related services, including administrative and supervisory services, are a profession with all of the rights, responsibilities, and privileges accorded other recognized professions. The Board recognizes and endorses the Standards of Ethical and Professional Performance as established by the Nebraska Department of Education and expects all certificated employees to abide by these standards.

Certificated Personnel-Professional Performance and Code of Ethics

It is the expectation of this District that all certificated staff shall comply with the ethics standards set forth by the Nebraska Department of Education; as such standards may be modified from time to time. The ethics standards which certificated staff shall follow shall include the standards set forth in this policy. References to “educator” shall include all certificated employees of the District.

Preamble

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for all educators with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator:

Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.

2. Shall not discriminate on the basis of race, color, creed, sex, marital status, age, national origin, ethnic background, or handicapping condition.
3. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
5. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
6. Shall not sexually harass students, parents or school patrons, employees, or board members.
7. Shall not have had revoked for cause in Nebraska or another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which an educator's certificate is issued in Nebraska.
8. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
9. Shall report to the Superintendent any known violation of these standards.
10. Shall seek no reprisal against any individual who has reported a violation of these standards.

Principle II - Commitment to the Student:

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
2. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
3. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
4. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.

5. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
6. Shall not tutor for remuneration students assigned to his or her classes unless approved by the Board of Education.
7. Shall not discipline students using corporal punishment.

Principle III - Commitment to the Public:

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

1. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
2. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
3. Shall neither offer nor accept gifts or favors that will impair professional judgment.
4. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
5. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
6. Shall, with reasonable diligence, attend to the duties of his or her professional position.

Principle IV - Commitment to the Profession:

In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

1. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
2. Shall not misrepresent his or her professional qualifications, nor those of colleagues.

3. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

Principle V - Commitment to Professional Employment Practices:

The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
3. Shall give prompt notice to the employer of any change in availability of service.
4. Shall conduct professional business through designated procedures, when available, that have been approved by the Board of Education.
5. Shall not assign to unqualified personnel tasks for which an educator is responsible.
6. Shall permit no commercial or personal exploitation of his or her professional position.
7. Shall use time on duty and leave time for the purpose for which intended.

Legal Reference: Neb. Rev. Stat. §§ 79-859, 79-866; 92 NAC 27 (NDE Rule 27)

Personnel - Non-Certificated Employees

Qualifications of Non-Certificated Employees

A) Custodians shall meet the statutory license requirements and such other qualifications as may be determined by the Superintendent of Schools. Preference for employment will be given to applicants who have some training in the maintenance of buildings and the operation of school heating systems.

B) Nine-month employees, or employees appointed to fill temporary jobs, shall not be entitled to the benefits provided twelve-month employees, such as vacations.

Personnel - Non-Certificated Employees"At Will" Employees

All non-certificated employees and non-certificated assignments shall be employed on an "at will" basis. Non-certificated employees shall have no property right in continued employment and need not be accorded a hearing or any other procedural or substantive due process, prior to termination of their employment.

Nothing in board policy, administrative regulations or practices, employee handbooks, or in any evaluation instrument or in the appraisal process or program for non-certificated employees shall or is intended to create or be a contract or part of a contract with a non-certificated employee which shall in any way be construed to be contrary to the "at will" employment of non-certificated employees. No administrator or other employee of the school district has any authority to enter into any agreement of employment with a non-certificated employee for any specific period of time or to make any agreement contrary to an at-will employment relationship.

Personnel - Non-Certificated EmployeesHiring/Dismissal

The Superintendent shall be responsible for selecting and recommending personnel to the Board of Education. Final approval shall be given by formal action of the Board of Education. The Board should follow closely the recommendations of the Superintendent, but such recommendations are not binding on the Board of Education. Dismissal of non-certificated employees shall be on an at-will basis, as such employees are subject to termination at any time without cause, without prior disciplinary action or progressive discipline, and irrespective of the lack of any evaluation or the irregularity in any evaluation process.

Personnel - Non-Certificated Employees

Contract

All non-certificated employees shall be required to sign an "at will" employment contract with the school district as a condition precedent to employment or continued employment with the school district. The non-certificated "at will" employee contract shall be in the form as proposed by the Superintendent of Schools and approved by resolution of the Board of Education.

Personnel - Non-Certificated Employees

Assignment and Transfer

Each non-certificated employee shall be assigned to a position at the direction of the Superintendent and may be transferred to any other position as the Superintendent may direct.

Personnel - Non-Certificated EmployeesComplaint Procedure

The normal procedure to be followed by each employee regarding a personal complaint related to his/her employment is to discuss the matter in a personal conference with the school principal or with the supervisory officer directly in charge. When the nature of the complaint dictates otherwise, the employee is entitled to present the complaint to any higher supervisory officer. An unsatisfactory result with the school principal or with the supervisory officer may be taken to the superintendent.

PersonnelNon-Certified StaffBus Drivers

Bus drivers are selected from qualified applicants by the superintendent and recommended to the Board of Education for employment. Bus drivers must meet all the requirements prescribed by Nebraska Law.

Regular bus drivers are paid at a rate established annually by the Board of Education and will receive benefits as stated in the Classified Employee Handbook.

Bus drivers will be paid at an hourly rate established annually by the Board for school activity and field trips.

Legal Reference: Neb. Rev. Stat. ' 79-608
 NDE Rules 91 and 92

PersonnelStandards of Performance for Non-Certified Employees

In fulfillment of the employee's minimum responsibilities, the employee:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, other employees, parents, school patrons, or school board members.
2. Shall not discriminate on the basis of race, color, creed, sex, marital status, age, national origin, ethnic background, religion, handicapping condition or sexual orientation.
3. Shall not use coercive means, or promise or provide special treatment to students, other employees, school patrons, or school board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
5. Shall not exploit relationships with students, other employees, parents, school patrons, or school board members for personal gain or private advantage.
6. Shall not harass in any manner students, parents or school patrons, employees, or board members.
7. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of duties.
8. Shall keep in confidence personally identifiable student or employee information that has been obtained in the course of service to the district, unless disclosure serves professional purposes or is required by law.
9. Shall not discipline students using corporal punishment.
10. Shall not misrepresent the school district, and shall take added precautions to distinguish between the employee's personal and institutional views.
11. Shall abide by policies and regulations of the Board of Education and the rules and standards established by the administration and the employee's supervisor.
12. Shall seek no reprisal against any individual who has reported a violation of these standards.