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**G**  
**Personnel**

**GENERAL SECTION**

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

Approved: 09-09-02

The goal set forth in this policy and rule section is to create the best possible educational climate. These personnel policies are designed to prevent misunderstanding by the personnel of the district about their duties and privileges. In order to further develop trust and understanding, the board seeks to involve personnel in the development of policies affecting staff positions.

All personnel handbooks shall be approved by the board and adopted, by reference, as part of these policies and rules.

Approved: 4-13-92

The board shall hire all employees on the basis of ability and the district's needs.

The district is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges of employment because of an individual's race, color, religion, sex, age, disability, or national origin.

Inquiries regarding compliance may be directed to the Superintendent of Schools, 201 Patton Road, Great Bend, Kansas (Phone: 620-793-1500), or to:

Equal Employment Opportunity Commission  
400 State Ave., 9<sup>th</sup> Floor  
Kansas City, KS 66101  
(913) 551-5655

or

Kansas Human Rights Commission  
900 SW Jackson, Suite 568-S  
Topeka, KS 6612-1258  
(785) 296-3206

or

United States Department of Education  
Office for Civil Rights  
8930 Ward Parkway, Suite 2037  
Kansas City, MO 64114-3302  
(816)268-0550

Approved: 9-11-06

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation or harassment due to race, color, religion, sex, age, national origin, or disability. Any incident of discrimination in any form shall promptly be reported to an employee's immediate supervisor, the building principal, or the district compliance coordinator for investigation and corrective action by the building or district compliance officer. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. The Director of Curriculum and Instruction and the Director of Special Education have been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990.

Complaints of discrimination should be addressed to an employee's supervisor or to the building principal or the compliance coordinator. Complaints against the superintendent should be addressed to the Board of Education.

Complaints of discrimination will be resolved using the district's discrimination complaint procedures.

Approved: 7-13-09

The Board of Education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment will not be tolerated in the school district. Sexual harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events. Sexual harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee, or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action up to and including termination.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

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

- verbal harassment or abuse;
- pressure for sexual activity;
- repeated remarks to a person, with sexual or demeaning implication;
- unwelcome touching; or
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning an employee's job status.

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure. (See KN)

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of sexual harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his/her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action, or to provide due process to the accused.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy and related materials shall be posted in each district facility. The policy shall be published in student, parent, and employee handbooks as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

Approved: 8-9-04

The Board of Education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of race, color, or national origin. Racial harassment will not be tolerated in the school district. Racial harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of sex under Title VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of racial harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events. Racial harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee, or third party (visitor, vendor, etc.) to racially harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action up to and including termination.

Racial harassment is racially motivated conduct which:

- (1) Affords an employee different treatment, solely on the basis of race, color, or national origin, in a manner which interferes with or limits the ability of the employee to participate in or benefit from the services, activities, or programs of the school;
- (2) Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile working environment;

- (3) Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with an individual's work performance or employment opportunities.

Racial harassment may result from verbal or physical conduct or written or graphic material.

The district encourages all victims of racial harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to racial harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure. (See KN)

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial harassment, depending on the nature of the conduct and its severity, persuasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of racial harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of racial harassment to

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

Initiation of a complaint of racial harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his/her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a racial harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action, or to provide due process to the accused.

False or malicious complaints of racial harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy and related materials shall be posted in each district facility. The policy shall be published in student, parent, and employee handbooks as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

Approved: 10-13-03

Any district employee who has reason to know or suspect that a child has been injured as a result of physical, mental, or emotional abuse or neglect or sexual abuse shall promptly report the matter to the local Social Rehabilitation Services (SRS) office or to the local law enforcement agency if the SRS office is not open.

The employee making the report will not contact the child's family or any other person(s) to determine the cause of the suspected abuse or neglect.

#### SRS Access to Students on School Premises

The building principal or designee shall allow a student to be interviewed by SRS or law enforcement representatives on school premises and shall cooperate according to statute and in the best interests of the child.

#### Cooperation Between School and Agencies

Principals shall work with SRS and law enforcement agencies to develop a plan of cooperation for investigating reports of suspected child abuse or neglect. To the extent that safety is not compromised, law enforcement officers investigating complaints of suspected child abuse or neglect on school property shall not be in uniform unless with permission from the principal or designee.

#### Reporting Procedure

The employee shall promptly report to the local SRS office or law enforcement if SRS is closed. It is recommended that the building administrator also be notified after the report is made.

If the building principal has been notified, the principal shall immediately notify the superintendent that the initial report to SRS has been made.

If appropriate, the principal may confer with the school's family support worker, guidance counselor, or psychologist. At no time shall the principal or other staff member prevent or interfere with the making of a suspected-child-abuse report.

If available, the following information shall be given by the person making the initial report: name, address, and age of the student; name and address of the parents/guardians; nature and extent of injuries or description of neglect or abuse; and any other information that might help establish the cause of the child's condition.

Any personal interview or physical inspection of the child by any school employee shall be conducted in an appropriate manner with another adult witness present.

Anyone making a report in accordance with state law and without malice shall be immune from any civil liability that might otherwise be incurred or imposed.

Approved: 12-10-07

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

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

Approved: 9-08-08

# REPORT TO LOCAL LAW ENFORCEMENT

Unified School District 428  
Great Bend, Kansas  
(Reference BOE Policy GAAE and JDDC)

Pursuant to Kansas Statutes, the administrator or other school employee whose signature appears below is reporting the following crimes.

Briefly describe each incident and the person(s) involved in a misdemeanor or felony behavior at school, on school property, or at a school activity.

Date	School / Location	Student(s) or Person(s) Involved	Brief Description of Bullying Incident(s)

School districts are required by federal law and K.S.A. 72-6214 to protect the privacy rights of students under the age of eighteen (18).

Signed: \_\_\_\_\_  
*Administrator or Other School Employee*

Copy: Superintendent of Schools, USD428  
Student(s) file

Approved: 09-08-08

The board shall, to the extent practicable, involve the employees of the district in the development of personnel policies, rules, and regulations.

Approved: 4-13-92

Only those positions authorized by the board may be filled.

Approved: 4-13-92

The superintendent shall prepare for board approval a comprehensive list of all positions of employment within the school system, together with the qualifications for the duties and responsibilities of each position.

Approved: 4-13-92

### Recruitment

The board delegates recruiting authority to the superintendent. In carrying out this responsibility, the superintendent may involve administrators and other employees.

### Hiring

The board shall approve the employment of all employees. No staff member's employment is official until the contract or other document is signed by the candidate and approved by the board.

### Background Checks

As a condition of initial employment, a new employee shall be subjected to a statewide criminal history records check by the Kansas Bureau of Investigation (KBI). The check shall conform to applicable standards and include submission of the employee's name(s). The Board of Education shall pay the costs of the background check.

### Hiring Sequence

- The verbal offer of employment to the candidate;
- Verbal acceptance by the candidate;
- Background check initiated;
- Contract or other appropriate document sent to the candidate and candidate's acceptance signified by a signed document returned to the superintendent; and
- Approval of the contract or other documents by the board.

Approved: 09-10-01

The superintendent shall have the authority to recruit the best-qualified candidate available to fill each staff position. If a recommendation is made to employ a father, mother, brother, sister, spouse, son, daughter, son-in-law, or daughter-in-law of any member of the board, the recommendation must also include the specific relationship to the board member.

Members of the same *immediate family* shall not be under the direct supervision of another family member, and separate building assignments for family members are encouraged whenever possible.

This provision shall not apply to any person who has been regularly employed by the board prior to the adoption of this policy or to any person who has been regularly employed by the board prior to the election of a new board member to whom the person is related.

Approved: 7-9/07

The superintendent shall make every reasonable effort to determine whether candidates for employment in the district are related to a board member or an administrator. If a candidate for employment is related to a board member or an administrator, the superintendent will make this fact known to the board before any recommendation is made to fill a vacancy.

Approved: 7-9-07

All employees of the district, at the time of employment, shall provide verification of identity and employment status to the superintendent.

The superintendent shall maintain a file on all of the district's employees hired after November 6, 1986, proving that each employee has verified his/her identity, employment status, U.S. citizenship, or legal alien status.

For additional information see: <http://www.uscis.gov/files/nativedocuments/m-274.pdf>

Approved: 9-08-08

Opportunity will be provided to all employees to develop their competence beyond the minimum skills necessary for the performance of assigned functions.

Employees are encouraged to submit, through normal supervisory channels, plans or proposals for the development of skills, knowledge, and technical performance capabilities.

Approved: 4-13-92

The superintendent, in consultation with the management team and the professional development council, will develop a program of in-service education for employees that will promote the continuous development, improvement, and on-the-job performance of all personnel and will submit such program to the board for approval.

Approved: 4-13-92

All employees are expected to attend in-service education sessions, which are required to carry out their assigned responsibilities unless excused by the superintendent or designated representative. Employees are encouraged to attend other approved in-service education sessions in accordance with individual development plans. Workshops, seminars, and similar programs may utilize all or a portion of the work day. On occasion these programs may be combined with regular staff meetings. Appropriate personnel will be selected to conduct the sessions. Further information regarding in-service education for certified personnel is available by referring to the USD 428 Professional Development In-Service Plan.

Approved: 4-13-92

The board shall provide a procedure whereby each employee shall have the opportunity to have employee complaints and grievances considered in a fair and timely manner.

Approved: 4-13-92

Employees covered under a negotiated agreement should refer to the grievance procedure article in that document. All other employees shall follow this procedure as outlined.

A. Purpose

The purpose of this grievance procedure is to provide the prompt and orderly adjustment of grievances of individual employees of the school district at the lowest level.

B. Procedures

Level 1.

A grievant shall first take up the grievance with the employee's immediate supervisor in private informal conference(s) within ten (10) working days after the occurrence of the event upon which a grievance is based or after the grievant becomes aware of such event. If the employee is dissatisfied with the outcome of the initial private conference(s), the employee may request a formal conference with his/her immediate administrative supervisor. Every effort should be made to

develop an understanding of the facts and the issues in order to create a climate which will lead to a solution.

Level 2.

In the event that the grievant is not satisfied with the disposition of the grievance at Level 1, the employee may appeal the matter in writing to the superintendent.

If the grievant appeals the grievance to the superintendent, the superintendent or designated representative shall confer with the grievant in an effort to arrive at a satisfactory solution.

If the grievant does not appeal the grievance to the superintendent within thirty (30) working days after the formal conference at Level 1, the grievance shall automatically be waived.

Level 3.

If the grievance is not adjusted to the satisfaction of the grievant after meeting with the superintendent or a designated representative under Level 2, the grievant may appeal to the board for a final disposition of the grievance by submitting a written request for a hearing to the superintendent. The superintendent shall place the request on the agenda of the next regularly scheduled evening board meeting.

If the grievant does not appeal the grievance to the board within thirty (30) working days after the formal conference at Level 2, the grievance shall be automatically waived.

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

1. The hearing shall be conducted in executive session.
2. The grievant will be given reasonable time to make opening remarks and present his/her case.
3. The administration will be given reasonable time to make its opening remarks and present its findings in the case.
4. Witnesses will be called individually by the grievant and administration to testify before the board. The board may call additional witnesses and may authorize witnesses being called as a group.
5. The grievant and the administration may ask questions of the witnesses during the time they are testifying.
6. Members of the board may ask questions of all participants during the hearing.
7. A summary statement may be made to the board by the grievant and by the administration.
8. The board will take the matter of the grievance under advisement and render its decision in written form to the grievant.
9. The decision rendered by the board shall be the final disposition of any grievance.

Approved: 4-13-92

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment, or employment in the district's programs and activities is prohibited. See annual July Board of Education minutes for the designee(s) who coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990.

Complaints of discrimination should be addressed to an employee's supervisor, or to the compliance coordinator(s). Complaints against the superintendent should be addressed to the board of education.

Complaints of discrimination will be resolved using the district's discrimination complaint procedure. (See KN)

Approved: 12-10-07

Staff members shall maintain professional relationships with students which are conducive to an effective educational environment. Staff members shall not submit students to sexual harassment or racial harassment. Staff members shall not have any interaction of a sexual nature with any student at any time regardless of the student's age or status or consent.

Approved: 8-9-10

District employees are prohibited from engaging in any activity which may be construed as a conflict of interest and detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service, or other such item that would directly or indirectly benefit said school employee. No school employee will enter into a contract for remuneration with the district other than a contract for employment unless the contract is awarded on the basis of competitive bidding.

Approved: 4-13-92

Any district employee shall report alleged violations of the conflict of interest policy to the superintendent. The superintendent or designee shall make an initial investigation to determine whether said policy has been violated. Upon substantial evidence of a violation, the superintendent shall report to the board for a board determination. In the event a district employee has been found to have violated the conflict of interest policy, the board will order the employee, in writing, to cease and desist from all such activities. If the employee fails to comply, the board may suspend or terminate the employee, as facts of the investigation dictate, pursuant to the provisions of GBK-R.

Approved: 4-13-92

All staff members are encouraged to reside within the boundaries of the district.

Participation in Community Activities

Staff members are encouraged to participate in community activities and organizations, insofar as these activities do not infringe upon job responsibilities.

Approved: 4-13-92

Participation in Community Activities

Prior permission must be obtained from the superintendent for participation in any non-school community activity that takes place during school time, which would require the employee's absence from job responsibilities.

Approved: 4-13-92

It is in the best interest of the district and the community for staff members to participate in the political process.

Politics in the Schools

Staff members shall not use school time or school property for the purpose of furthering the interests of any political party, the campaign of any political candidate, or the advocacy of any political issue.

Approved: 4-13-92

Staff members who intend to become candidates for political office may notify the superintendent of the declaration of candidacy.

A staff member who becomes a candidate for public office may apply to the board for a leave of absence without pay for the purpose of conducting a campaign. Leave may not be granted if the board determines that the leave would cause the employee not to perform duties as contracted.

Staff members who are elected or appointed to a public office that restricts the employee's ability to complete contractual obligations shall be terminated.

Staff members holding public offices that, in the judgment of the board, are less than full time shall request unpaid leave from the superintendent at least one week in advance.

An employee who must be absent from school to carry out the duties of a public office must take a short- or long-term leave of absence without pay for the duration of the political duties.

Approved: 4-13-92

All persons seeking to sell, solicit, or display an item to any school employee on school premises must first secure permission from the building principal, superintendent, or other designated supervisor before any appointment is made by the vendor. All such appointments thus made will be held at a time approved by the employee's supervisor. All other solicitations of or by district employees are prohibited.

Solicitations by Supervisors

Solicitations of school employees by supervisors during regular school hours for any reason other than school-sponsored activities is prohibited.

Solicitations by Staff Members

Solicitations of students or other school employees by staff members during regular school hours for any reason other than school-sponsored activities are prohibited.

Solicitations of Staff Members

Solicitations of staff members by any vendor, student, other district employee, or patron during normal school hours are prohibited unless permission is granted by the employee's supervisor.

Approved: 4-13-92

Solicitations of Staff Members

All vendors must secure permission from the employee's supervisor to interview a school employee. If any vendor violates this procedure, the vendor may be barred from making appointments with school employees. The supervisor may also recommend to the superintendent not to purchase products or other such items from said vendor. If a vendor

violates board policy and is subsequently barred from soliciting in the school system, the superintendent shall send appropriate notices to each supervisor. The notice will include the name of the vendor, the company name, and the reason(s) for and length of the suspension. The superintendent may bar a vendor from soliciting sales from district employees for a period of time not to exceed twelve (12) months from the date of suspension. Said notice will be sent to the vendor in question and to his/her immediate employer.

Approved: 4-13-92

Gifts by Staff Members

Staff members are discouraged from giving gifts to any student or class of students when such gifts arise out of a school situation or a class- or school-sponsored activity unless approved by the superintendent or the employee's supervisor.

Gifts to Staff Members

Staff members are prohibited from receiving personal gifts from vendors, salespersons, or other such representatives. Gifts that are premiums resulting from district purchases are to become property of the school district and must be reported to the superintendent.

Approved: 4-13-92

Gifts to Staff Members

If an employee of the district is found to have accepted a gift from any person as outlined in the policy on gifts, the superintendent may recommend to the board that said employee be subject to disciplinary action.

The superintendent or designated representative will be responsible for the administration of this policy for all principals, District Education Center staff members, certified staff members who travel between buildings, substitute teachers, supervisors, and classified employees not assigned to a building. The building principal will be responsible for the administration of this policy for all assigned employees.

Approved: 4-13-92

Personnel files required by the district shall be confidential and in the custody of the records custodian and/or the superintendent. Employees have the right to inspect their files upon proper notice under the supervision of an appropriate supervisor. All records and files maintained by the district should be screened periodically by the custodian of records.

All personnel files and evaluation documents, including those stored by electronic means, shall be adequately secured.

#### Requests for References

Unless otherwise allowed by law, a request by a third party for release of any personnel record shall require the written consent of the employee and shall be submitted to the records custodian who shall respond to the request as law allows.

Upon receipt of a written request, district officials may provide information regarding past and present employees to prospective employers in compliance with current law. Information that may be provided will include:

- employment date(s);
- job description and duties while in the district's employment;
- last salary or wage;
- wage history;
- whether the employee was voluntarily or involuntarily released from service and the reasons for separation
- written employee evaluations which were conducted prior to the employee's separation from the employer and to which an employee shall be given a copy upon request.

### Immunity Provided

Unless otherwise provided by law, an employee who responds in writing to a written request concerning a current or former employee from a prospective employer of that employee shall be absolutely immune from civil liability for disclosure of information noted above to which an employee may have access.

Approved: 09-09-02

The district shall comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). The Board prohibits all managers from making any improper deductions from the salaries of exempt employees. Employees shall be made aware of this policy.

If an employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this information to his/her direct supervisor or to the Director of Business and Operations.

Reports of improper deductions shall be promptly investigated. If it is determined that an improper deduction has occurred, the employee shall be promptly reimbursed for any improper deduction made.

Approved: 02-14-05

The board advocates an appropriate dress code for all district employees.

Approved: 4-13-92

Teachers should accept the responsibility to ensure that their grooming habits and dress are appropriate for the educational setting in which they work. They should present a neat and clean appearance while on duty and working with students.

Approved: 4-13-92

The board shall provide reimbursement for expenses incurred in travel related to the performance and duties of the district's employees when approved in advance by the superintendent or a designee.

Approved: 3-12-07

Authorization for reimbursed travel expenses will be considered by the superintendent or a designee. Mode of travel will be based on the availability of transportation, distance, and number of persons traveling together. In air travel, a first-class fare will be reimbursed only when coach space is not available.

Meal allowances will be provided only for travel that requires an overnight stay. Occasional meal allowances will be provided for overtime work and for enabling overtime work. A maximum allowance per meal will be recommended by the superintendent for approval by the board. Meal expenses are limited to such allowance and do not require receipts except where further budget restrictions are specified.

Receipts for transportation, parking, hotel or motel, and such other expenses for which receipts are ordinarily available will be attached to expense vouchers. For the authorized use of a personal car, staff members will be reimbursed at a mileage rate established by the state.

Travel between buildings or in the district in the exercise of official assignments will be reimbursed at a mileage rate established by the board.

Approved: 3-12-07

District personnel will not use district cell phones for personal use.

Approved: 3-12-07

Each employee is responsible for maintaining proper control and discipline in the school. An employee may use such reasonable force necessary to ward off an attack, to protect another person, or to quell a disturbance that threatens physical injury to others.

Approved: 2-10-97

Maintaining a drug-free workplace is important in establishing an appropriate learning environment for the students of the district. The manufacture, use, possession, sale, transfer, or purchase of drugs or other controlled substances in any unlawful or unauthorized manner by a district employee is prohibited on district property or at any school-sponsored event.

Approved: 4-13-92

As a condition of employment in the district, employees shall abide by the terms of this policy. Any employee violating this policy shall be referred to the appropriate authorities for possible criminal prosecution.

Any employee charged under a criminal drug statute that would constitute a violation of this policy may be temporarily suspended with pay, transferred, or reassigned by the superintendent pending final disposition of such charges.

Any employee who is convicted under a criminal drug statute that would constitute a violation of this policy must notify the superintendent of his/her designated representative of the conviction within five (5) days after the conviction.

Any employee who is convicted under a criminal drug statute for the manufacture, sale, transfer, purchase with intent to sell, or possession with intent to sell any drugs or other controlled substances in any unlawful or unauthorized manner on district-owned property or at any school-sponsored event may be suspended without pay, transferred, reassigned, or terminated.

Any employee who is convicted under a criminal drug statute for the use, possession, or purchase for the employee's use only, of an illegal drug or other controlled substance in an

unlawful or unauthorized manner on district-owned property or at any school-sponsored activity may be suspended with pay or placed on probationary status. The convicted employee, at the employee's expense, shall be required to complete the requirements of an approved drug abuse assistance or rehabilitation program as a condition of continued employment. The failure of the employee to complete such a program successfully may be grounds for termination. A second conviction for the same or similar offense may result in the employee's being suspended with or without pay, transferred, reassigned, or terminated.

Enforcement of this policy shall be by the Board of Education and/or the Superintendent of Schools or a designated representative.

Each employee in the district shall be given a copy of this policy. This policy is intended to implement the requirement of the federal regulations promulgated under the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. It is not intended to supplant or otherwise diminish disciplinary personnel actions that may be taken under existing laws or the negotiated agreement.

Approved: 4-13-92

The unlawful possession, use, sale, or distribution of illicit drugs and alcohol by school employees on school premises or as part of any school activity is prohibited.

#### Employee Conduct

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

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

Prior to applying sanctions under this policy, employees will be afforded due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action which is provided for in district policies or the negotiated agreement. This policy is not intended to change any right, duty, or responsibilities in the current negotiated agreement.

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

Employees are responsible for contacting the directors of the program to determine the cost and length of the program and for enrolling in the programs.

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

Approved: 09-08-08

This policy shall apply to all district employees who are performing safety sensitive jobs that require a commercial driver's license (CDL) as defined by the Omnibus Transportation Act of 1991. A board-approved plan stating compliance requirements is on file with the clerk. Copies of the plan shall be given to each appropriate employee in a safety sensitive position as defined by board policy.

Approved: 8-14-95

The district will participate in Workers' Compensation as required by current statute. The combined Workers' Compensation benefits and salary received under allowed sick leave or other available leave shall not exceed one full day's pay.

All employees of the district shall be covered by Workers' Compensation. Workers' compensation coverage is provided for all employees regardless of assignment, length of assignment, and/or hours worked per day. Benefits are for personal injury from accident or industrial disease arising out of and in the course of employment in the district.

The Workers' Compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify; however, the amount of Workers' Compensation benefits and sick leave benefits shall not exceed a regular daily rate of pay. An employee using sick leave or other leave in compensation with Workers' Compensation will be charged for one full or partial day of sick leave, as provided for in the sick leave policy or the negotiated agreement, for each day of absence until the employee's sick leave is exhausted.

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

Whenever an employee is absent from work and is receiving Workers' Compensation benefits due to a work-related injury or is receiving district-paid disability insurance, the employee may use available paid sick leave to supplement the Workers' Compensation or

district-paid disability insurance payments. Workers' Compensation benefits and FMLA benefits provided in a Board-approved plan shall run concurrently if both are applicable.

In no event shall the employee be entitled to a combination of Workers' Compensation benefits, district-paid disability insurance, and salary in excess of his/her full salary. Available paid sick leave may be used for this purpose until: (1) available paid sick leave benefits are exhausted; (2) the employee returns to work; or (3) employment is terminated. Sick leave shall be deducted on a pro rata amount equal to the percentage of salary paid by the district.

#### Choice of Physician

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury while performing their job.

Approved: 7-13-09

Salary deductions shall be made if permitted by Board policy, the negotiated agreement, or required by law. The district shall comply with the salary basis requirements of the Fair Labor Standards Act (FLSA).

The superintendent shall develop forms to provide information needed to make approved salary deductions. All requests for salary deductions shall be submitted to the Director of Business and Operations during the enrollment periods established by the Board.

Approved: 02-14-05

The retirement of any staff member shall be in accordance with current law. Employees are requested to notify the Board of Education of their intent to retire.

Approved: 4-13-92

The board reserves the right to terminate the employment of any staff member if the board has a good faith doubt that the employee cannot fulfill employment obligations and/or policies and rules of the board because of a mental or physical infirmity.

The board reserves the right to have its employees examined by a physician of its choice to determine whether or not the employee is mentally and/or physically able to fulfill employment obligations of the employment contract and/or policies and rules of the board.

The costs for any examination referred to in this rule shall be borne by the board.

Approved: 4-13-92

For retirement eligibility and processes, see current publications of the following sources.

For certified employees:                      Certified Employees' Agreement

For classified employees:                      Classified Personnel Handbook

For administrators:                              Administrator Contracts

Approved: 12-10-07

Whenever an employee has been diagnosed by a physician as having a communicable disease, such employee shall report the diagnosis and nature of the disease to the immediate supervisor who will, in turn, report to the superintendent so that a proper reporting may be made to the county or joint board of health as required by statute.

An employee afflicted with a severe communicable disease dangerous to the public health shall be required to withdraw from active employment for the duration of the illness in order to give maximum health protection to other district or school employees and to students.

The employee shall be allowed to return to his/her duties upon termination of the illness, as authorized by the employee's physician or as authorized by a health assessment team.

The board reserves the right to require a written statement from the employee's physician indicating that the employee is free from all symptoms of a severe communicable disease.

Communicable disease, as defined in this policy, shall refer to any infectious or contagious disease as determined by the State Department of Health and Environment or the United States Center for Disease Control.

Approved: 4-13-92

In the event that a district employee has been diagnosed as having a communicable disease and the superintendent has been notified as such by the employee, the superintendent shall determine whether a release shall be obtained from the employee's physician before the employee returns to his/her duties.

Decisions regarding the type of employment setting for an employee with a communicable disease shall be based upon the physical condition of the employee and the expected type of interaction with other employees and students.

These decisions are best made by a health assessment team including the employee's physician, public health personnel, superintendent, and personnel associated with the proposed employment setting.

Blood-Borne Infectious Diseases - AIDS/HIV (Acquired Immune Deficiency Syndrome/ Human Immunodeficiency Virus) and HEPATITIS B

Current medical research indicates that AIDS/HIV and Hepatitis B cannot be transmitted through casual physical contact. The school-aged child with a blood-borne infection presents a negligible risk of transmission to classmates or to adult school personnel, and thus does not affect their health and safety. For the same reason, adult school personnel with AIDS/HIV or Hepatitis B, under ordinary school circumstances, will not infect school children or co-workers. Therefore, both children and adult school personnel with AIDS/HIV or Hepatitis B, in most instances, should continue to attend school and to participate fully in programs and activities offered by Unified School District 428.

Removal of a student or an adult employee with AIDS/HIV or Hepatitis B from the school setting is normally not justified. However, the following guidelines are established for case-by-case review process, if needed, for any student or school employee known to have AIDS/HIV or Hepatitis B. The board grants the superintendent authority to act on the recommendation of the Communicable Disease Evaluation Advisory Committee (CDEAC) as established in the administrative regulation.

The CDEAC will comply with current recommendations of the Centers for Disease Control and with current statutes during the review process.

Management of Students and Employees with Blood-Borne Infectious Diseases - AIDS/HIV and Hepatitis B

Advisory Committee

The Superintendent of Schools will appoint a Communicable Disease Evaluation Advisory Committee (CDEAC). The CDEAC will meet as needed to determine the appropriate school placement of students or employees with AIDS/HIV or Hepatitis B.

The members of the CDEAC will include:

- One central office staff member/chairperson.
- Director/representative of the Barton County Health Department.
- A local physician.
- Director of the special education cooperative.
- The principal of the student's attendance center or the immediate supervisor of the employee.
- School attorney.

The Superintendent of Schools will not be a member of the CDEAC but will have approval/disapproval powers over decisions made by the CDEAC.

Persons involved in the education or workplace of the AIDS/HIV or Hepatitis B infected student/employee should respect the individual's right to privacy. The number of personnel aware of the individual's condition should be kept to the minimum number needed to assure proper care of the person and to detect situations where the potential for transmission may increase, e.g., bleeding injuries.

## Procedures

The CDEAC will meet as needed to review the appropriate school placement of children or employees with AIDS/HIV and/or Hepatitis B infection.

1. The CDEAC will review all students/employees known to have the AIDS/HIV or Hepatitis B infection. The school system and the county health department are encouraged to immediately report known cases to each other, provided a written release to exchange information between the two agencies is obtained from the employee, or the parent(s) or guardian(s) of the student.
2. The student's parent(s) or guardian(s) or the employee will provide the name of the physician who will be responsible for the care of the student/employee and who will monitor the student's/employee's medical and psychological condition.
3. If the chairperson or other member of the CDEAC determines there is a need for a CDEAC meeting, such meeting will be scheduled by the chairperson.
4. Prior to the review, the CDEAC chairperson will obtain appropriate data from the student's/employee's designated physician, the student's parent(s) or guardian(s), employee, and school, in a confidential manner. This will require written permission from the student's parent(s) or guardian(s) or school employee.
5. Included in CDEAC meetings, as needed, would be the parent(s)/guardian(s) of the student, the student (when appropriate), employee, principal, school nurse, and teacher(s). Persons involved in the education or workplace of AIDS/HIV or Hepatitis B infected students/employees should respect the individual's right to privacy. The number of personnel who are aware of an individual's condition should be kept to the minimum number needed to assure proper care of the person and to detect situations where the potential for transmission may increase, e.g. bleeding injuries.
6. At a CDEAC meeting, determination will be made if the student/employee presents an increased risk of transmitting AIDS/HIV or Hepatitis B infection. If so, the CDEAC may recommend an appropriate restricted setting for the individual. The following items will be considered for student/employee:
  - a. Age.
  - b. Behavior.
  - c. Neurological and mental status.
  - d. Physical condition.

7. The CDEAC will consider a restricted setting for a student/employee if he/she meets any of the following criteria:
  - a. Lacks control of body secretions.
  - b. Exhibits behavior problems which would increase the possibility of transmission of the infection.
  - c. Has uncoverable, oozing skin lesions.
  - d. Needs a restricted setting to protect him/her from the risk of physical or psychological harm in an unrestricted setting.
  - e. Needs restricted setting to protect him/her from the infectious diseases of others.

If none of the above conditions exist, the CDEAC may recommend an unrestricted setting for the student/employee.

The CDEAC will determine whether or not any student/school employee with the AIDS/HIV or Hepatitis B infection poses a significant risk of transmission to other employees or students. If so, the CDEAC may recommend a restricted setting for the student/employee. If a risk does not exist, the CDEAC may recommend continued work in the student's/employee's regular educational setting or workplace/position.

8. Each member of the CDEAC has one vote. The CDEAC recommendation for a student/employee will be decided by a majority vote of the entire committee and will be conveyed in writing to the superintendent who will make the final decision.
9. The CDEAC will keep written record of its meetings. Recommendations will be made in writing to the Superintendent of Schools. The superintendent will review and respond, in writing, to the decision of the CDEAC. It will be the responsibility of the superintendent to see that a final decision is reached regarding a restricted or unrestricted setting for the student/employee. All records will be kept in a locked file in the office of the superintendent.
10. During the review process, an infected student/employee may be excluded from school/work. Exclusion will be done at the superintendent's discretion, after consultation with the chairperson of the CDEAC. If such exclusion is anticipated to be for more than five (5) school/work days, the CDEAC may recommend an interim placement/assignment.

11. If the infected student/employee disagrees at any point in the review process with the CDEAC's recommendation(s) or the superintendent's final decision, he/she may request a CDEAC meeting at which he/she may be represented by legal counsel.

### Appeals

Any school employee, or any child or the parent(s)/guardian(s) of such child, aggrieved by any decision of the superintendent shall have the right to appeal any such decision to the Board of Education. Any such appeal shall be made by written notice filed with the Clerk of the Board of Education within ten (10) days after receipt of written notice of a decision of the superintendent. The decision of the superintendent shall remain in force pending such appeal and until reversed or modified by the board's final decision.

An appeal hearing shall be *de novo* and shall be heard within twenty (20) days after the notice of appeal is filed. Written notice of the hearing shall be given to all parties and their legal representatives. The appeal hearing may be conducted by the board or by one or more hearing officers appointed by the board for such purpose, provided that any hearing officer must be either a member of the board or a certified employee of the school district. The results of the appeal hearing shall be put in writing within twenty-four (24) hours after the hearing, and a copy of same shall be delivered to the affected individual and legal representatives. If the appeal hearing is conducted by a hearing officer, the board shall receive the report of the hearing officer and shall determine the appeal based upon the report without additional hearing. Any determination by the board shall be made not later than five (5) days after the conclusion of any appeal hearing.

Any hearing, as herein provided, shall be conducted in a procedural manner as determined by the board or hearing officer. Such procedure shall provide for, but not be limited to, the following:

1. The right of the affected individual to have counsel of his/her choice present and to receive the advice of such counsel; and
2. The right of the parent(s) or guardian(s) of a child to be present at the hearing; and
3. The right of the affected individual and the individual's counsel to hear or read a full report of the testimony of all witnesses; and
4. The right of the affected individual and his/her counsel to confront and cross-examine witnesses who appear in person at the hearing either voluntarily or as a result of the issuance of a subpoena; and
5. The right of the affected individual to present witnesses in his/her own behalf, either in person or by affidavit; and
6. The right of the affected individual to testify in his/her own behalf; and
7. The right of the affected individual to have an orderly hearing.

In all appeal hearings, there shall be made a record thereof by mechanical or electronic recording, or by a certified court reporter, and the costs thereof shall be paid by the school district.

In all other respects and in conjunction with any such appeal hearing, the board or the hearing officer may utilize such provisions and exercise such powers in its sole discretion as may be provided for or otherwise permitted under the Kansas Administrative Procedures Act, KSA 77-501, *et seq.*, as from time to time amended.

#### Monitoring After a Review

1. The student's/employee's principal or supervisor will be responsible for notifying the CDEAC chairperson of any changes in the student/employee which would require a reassessment of the educational setting/workplace.

2. The CDEAC chairperson or designated representative will contact the student's/employee's physician as needed to determine if there have been changes in the student's/employee's health status. The chairperson or designated representative will maintain contact as needed with the student/employee. This will include the parent(s) or guardian(s) in the case of a student. Permission for release of any medical information by the physician must be provided in writing by the student's parent/guardian or the employee.
3. If any changes in the health status of a student/employee with the AIDS/HIV or Hepatitis B infection occur which may increase the risk of transmission, the CDEAC chairperson will schedule a meeting of this committee to discuss the situation. The student/employee may be excluded from school or workplace at this time. (See *Procedures*, Number 8.)

#### Outbreaks of Communicable Diseases

In a school or classroom, if a communicable disease (e.g., measles, chicken pox, etc.) occurs which could be threatening to an infected student/employee, the infected student's parent(s)/guardian(s) or the employee and the student's/employee's physician will be notified so the AIDS/HIV infected individual can be excluded from school/work during the outbreak.

Approved: 4-13-92

District employees shall be provided family and medical leave as provided by a plan approved by the Board. The plan for providing leave under this policy shall be filed with the Clerk of the Board and made available to all staff at the beginning of each school year.

Approved: 7-13-09

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

Reemployment rights extend to persons who have been absent from work because of "service in the uniformed services." The uniformed services consist of the following military branches:

- Army, Navy, Marine Corps, Air Force, or Coast Guard.
- Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve.
- Army National Guard or Air National Guard.
- Commissioned corps of the Public Health Service.
- Any other category of persons designated by the President in time of war or emergency.

"Service" in the uniformed services means duty on a voluntary or involuntary basis in a uniformed service, including:

- Active duty.
- Active duty for training.
- Initial active duty for training.
- Inactive duty training.
- Full-time National Guard duty.
- Absence from work for an examination to determine a person's fitness for any of the above types of duty.

The employee may be absent for up to five (5) years for military duty and retain reemployment rights. There are, however, exceptions which can exceed the five (5) years limit. Reemployment protection does not depend on the timing, frequency, duration, or

nature of an individual's service. The law enhances protections for disabled veterans including a requirement to provide reasonable accommodations and up to two (2) years to return to work if convalescing from injuries received during service or training.

The returning employee is entitled to be reemployed in the job that he/she would have attained had he/she not been absent for military service, with the same seniority, status, and pay, as well as other rights and benefits determined by law. If necessary, the employer must provide training or retraining that enables the employee to refresh or upgrade skills so he/she can qualify for reemployment. While the individual is performing military service, he/she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other individuals on non-military leave of absence. Individuals performing military duty of more than thirty (30) days may elect to continue employer-sponsored health care for up to eighteen (18) months at a cost of up to one hundred two percent (102%) of the full premium. For military service of less than thirty-one (31) days, health care coverage is provided as if the individual had never left. All pensions which are rewards for length of service are protected.

Individuals must provide advance written or verbal notice to their employers for all military duty. Notice must be provided by the employee or by the branch of the military in which the individual will be serving.

Notice is not required if military necessity prevents the giving of notice or if the giving of notice is otherwise impossible or unreasonable.

Accrued vacation or annual leave may be used (but is not required) while performing military duty. The individual's time frame for returning to work is based upon the time spent on military duty.

**TIME SPENT ON  
MILITARY DUTY****RETURN TO WORK OR APPLICATION  
FOR REEMPLOYMENT**

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Less than 31 days:

Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.

More than 30 but less than 181 days:

Must submit an application for reemployment within fourteen (14) days of release from service.

More than 180 days:

Must submit an application for reemployment within ninety (90) days of release from service.

The individual's separation from service must be under honorable conditions in order for the person to be entitled to reemployment rights. Documentation showing eligibility for reemployment can be required. The employer has the right to request that an individual who is absent for a period of service of thirty-one (31) days or more provide documentation showing:

- the application for reemployment is timely;
- the five (5) year service limitation has not been exceeded; and,
- separation from service was under honorable conditions.

If documentation is not readily available or it does not exist, the individual must be reemployed. However, if after reemploying the individual, documentation becomes available that shows one or more reemployment requirements were not met, the employer may terminate the individual, effective immediately. The termination does not operate retroactively.

Questions should be directed to Veterans' Employment and Training Service, U.S. Department of Labor.

Kansas law also requires reemployment if an individual is called to active duty by the state.

Approved: 8-9-10

**GB**

**Certified Personnel Section**

The board shall compensate all certified staff within the financial limitations and abilities of the district. Compensation may include any or all of the following: any item fairly negotiated into the employment contract; a signing bonus; incentive payment; relocation expenses.

Provisions of the district's teacher salary schedule and teacher contracts are located in the negotiated agreement.

No public funds will be spent by the board in the form of wages or salary for any school employee to sponsor any religious activity. No public funds will be spent by the board to pay any expenses of any school employee to attend any religious activity or conference.

#### Eligibility For Pay Off The Salary Schedule

There may be times in which the district will find it difficult (due to shortages in candidates or the district's location, e.g.) to recruit and hire certified employees for certain positions. The board, upon the recommendation of the Superintendent, may declare such positions as "difficult to fill." Such designation will make the successful candidates for these positions eligible for pay and benefits beyond those itemized in *the Certified Employees Agreement*.

There may be times in which the district finds it difficult to recruit or retain teachers in a certain school for various reasons. The board, upon recommendation of the Superintendent, may declare such schools as "difficult to staff." Such designation will allow the eligible teachers in that school additional pay and benefits beyond those found in the *Certified Employees Agreement*.

**Relocation Expenses**

The board authorizes the Superintendent (designee) to offer to pay relocation expenses up to \$2,000.00 to the successful candidate of any position identified by the board as a “difficult to fill”.

**Signing Bonus**

The board authorizes the Superintendent (designee) to offer a signing bonus up to \$2,000.00 to the successful candidate of any position designated by the board as a “hard to fill” position. Upon accepting the bonus, the candidate commits to a two-year agreement to teach for the district.

**Incentive Pay**

In the event the board designates one of the district’s schools or a group of licensed employees a “difficult to staff” designation, any full-time employee covered by the *Certified Employees Agreement* will be eligible for an incentive bonus in the amount of \$2,000.00 for signing a contract to teach in the designated school. The employee must declare his/her intention to teach at said school by March 1 prior to the year during which he/she will teach. The bonus will be added to the employee’s base pay for the referenced year of teaching and will continue to be paid each year the employee agrees to teach in that school.

If and when the board no longer designates the school as “difficult to staff,” the employees will not be eligible for the incentive pay.

Approved: 02-11-08

For teachers holding three- and five-year certificates, local and state requirements shall be the same.

Approved: 10-9-00

A job description for each classification of certified employees will be developed by the district. A copy of each job description shall be maintained by the district office.

Approved: 4-13-92

**Teacher Selection**

The board has the legal responsibility of approving the employment of all certified employees. While this responsibility cannot be waived, the board delegates to the superintendent the authority to recruit staff members. In carrying out this responsibility, the superintendent may involve administrators and other employees.

Approved: 10-9-00

All certified personnel recommended by the superintendent for employment are subject to ratification by the board.

To aid in obtaining the best available staff members for the district's schools, the board adopts the following general criteria which shall be utilized in the selection process for initial employment:

- There shall be no discrimination in the hiring process due to age, handicap, sex, creed, race, color, or national origin.
- The employment of any staff member is not official until the contract or other document is signed by the candidate and approved by the board.

The certified employment sequence shall be as follows:

- The verbal offer of employment to the candidate;
- Verbal acceptance by the candidate;
- A Letter of Intent sent to the candidate and the candidate's acceptance signified by a signed Letter of Intent;

- Background check initiated, if required;
- Recommendation of candidate's appointment presented to the Board of Education;
- Contract or other appropriate document sent to the candidate and candidate's acceptance signified by a signed document returned to the superintendent; and
- Approval of the contract or other document by the board.

Approved: 10-9-00

The board retains and reserves the right to assign, reassign, and transfer all personnel.

(Cf. negotiated agreement)

Approved: 4-13-92

The authority to recommend to the board that certified staff members be placed on probation is delegated to the superintendent. The board, after hearing the superintendent's recommendation for probation and after evaluating the evidence gathered by the administrative staff, may place a certified staff member on probation. The term of probation will be established by the board, but in no event shall said probation extend beyond a one calendar-year period unless the board first reviews all pertinent evidence pertaining to the probation including a report by the superintendent on the progress of the certified staff member to remedy causes for probation.

Approved: 4-13-92

All conditions of probation shall be in writing. One copy shall be given to the employee, and one copy shall be placed in the employee's personnel file.

Failure by an employee to remedy the causes of probation may result in non-renewal or termination of the employment contract.

Approved: 4-13-92

The responsibility for the immediate supervision of faculty members rests with each building principal or designated supervisor. The superintendent and other central office administrators designated by the superintendent also have a responsibility to supervise faculty members during the school year.

Approved: 4-13-92

The board shall adopt an approved evaluation instrument. This instrument shall govern evaluation of teachers, shall be filed in the central office with the clerk, and may be published in the teachers' handbooks.

Availability of Evaluation Documents

Completed evaluation documents shall be available to the employee, the superintendent, the Director of Business and Operations, Director of Curriculum and Instruction, and other administrators under whose supervision the teacher works, and others authorized by law. (See GAK)

Evaluation Criteria

Evaluation criteria shall be established by the board.

Approved: 10-13-03

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

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

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

Approved: 9-08-08

Nonrenewal or termination shall be in accordance with Kansas law.

Approved: 1-11-10

The Board of Education shall consider any certified employee's resignation which is submitted to the board in writing. The board may accept such resignation from employees under contract when resignation will be in the best interests of the district. Also see the negotiated agreement.

A certified employee who has signed a contract and accepted a teaching position in the district for the coming year or who has not resigned by the continuing contract notice deadline shall not be released from that contract to accept another position until the appropriate liquidated damages, as defined in the negotiated agreement, are paid.

If the certified employee terminates employment in the district without complying with the Board of Education policy, the board may petition the State Board of Education to have the teacher's certificate or license suspended.

#### Exit Interviews

Exit interviews may be conducted after an employee resigns.

Approved: 1-11-10

If the board decides that the size of the teaching staff must be reduced, guidelines in the following rule or the negotiated agreement shall be followed. Insofar as possible, reduction of staff shall be accomplished by attrition due to resignation(s) and retirement(s).

The following steps will be utilized by the district's administrative staff to reduce the teaching staff:

The number of teaching positions to be reduced shall be in accordance with the educational goals established by the board. The number of teachers needed to implement the district's educational program will then be determined by the administrative staff based on those educational goals in determining which teachers will be nonrenewed due to reduction in force.

The educational goals and needs of the district, individual certifications, qualifications, training, skills, evaluations, and interests shall be considered.

If two (2) or more teachers have similar certifications, qualifications, training, skills, evaluations, and interests in a teaching area, those teachers who have tenure will be retained over those who are nontenured. If all of the teachers have similar certifications, qualifications, training, skills, evaluations, and interests and all are tenured, the teacher(s) who best meets the needs of the district, considering the factors outlined above and any other relevant factors, will be retained.

Any certified employee who has not been reemployed as a result of reduction of the teaching staff shall be considered for reemployment if a vacancy exists for which the teacher would qualify. Please refer to the negotiated agreement for the recall procedures.

Approved: 1-11-10

Certified personnel must be at their assigned area during each duty day. Any teacher who finds it necessary to leave while supervising students shall first secure approval from the principal. Building and playground assignments shall be made by the principal.

#### Work Schedules

The minimum length of the school day for licensed and professional staff shall be defined in the negotiated agreement. Work schedules for other employees shall be defined by the superintendent consistent with the Fair Labor Standards Act (FLSA) and the provisions of this policy.

#### Attendance Required

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

Approved: 02-14-05

***Use of Tobacco Products***  
***GBRAB*** ***in School Buildings and on School Property*** ***GBRAB***  
***(Cf. JCDA)***

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The use of tobacco products in any form is prohibited in any school building owned, leased, or rented by the district and is prohibited in Memorial Stadium at Great Bend High School.

Approved: 5-18-95

***Use of Tobacco Products***  
***GBRAB-R*** ***in School Buildings and on School Property*** ***GBRAB-R***  
***(Cf. JCDA)***

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No employee, student, or visitor shall use any tobacco product in any form in any district facility, including Memorial Stadium.

Approved: 5-18-95

There shall be a program of professional development for employees which meets minimum statutory and State Board of Education requirements. The program shall promote:

- continuous professional development;
- improving academic achievement for all students;
- diversification in academic foundations or subject knowledge; and
- improved job effectiveness and enhanced skills.

When appropriate, the superintendent shall consult with the staff about professional development activities.

All appropriate employees shall attend professional development sessions unless excused by the superintendent. Professional development programs may use all or a portion of the workday.

Approved: 10-13-03

Staff meetings for certified personnel shall be called by the administration.

Approved: 4-13-92

To facilitate the supervision of students and the instructional program of the district, professional personnel must be at their places of assignment preceding, during, and following classes each school day.

Certified staff members shall be informed of building schedules and responsibilities by the building principal at the beginning of each year and at other times as needed.

Building staff meetings may be scheduled by the building principal as needed. Notice of each meeting shall be given as far in advance as possible. Attendance of staff at such meetings is a part of the teacher's professional responsibilities.

Based upon each teacher's time schedule and upon the needs of the district, certain related instructional and non-instructional duties may be assigned on a regular or rotation basis by the building principal. (Cf. negotiated agreement)

Approved: 4-13-92

Certified employees shall not be permitted to engage in outside employment which, by its nature or duration, will impair the effectiveness of their instructional service.

Approved: 4-13-92

Certified employees may be excused by the superintendent or a designee to perform technical or instructional services as consultants to other districts, government agencies, or private industry.

Fees for the consultant services provided by certified employees may be established by the superintendent.

Approved: 4-13-92

Requests for approval to serve as a consultant shall be submitted in writing to the superintendent who shall act upon the request in accordance with the district professional development plan.

A certified employee who serves as a consultant to an outside agency or firm will receive regular salary from USD 428 provided that no payment from the outside agency or firm is accepted by the employee. Such payment would not refer to vouchered expenses or to payments made to employees providing services on a non-contract day, personal day, or vacation day.

Any fees established for consultant services by district employees excused during contracted time shall be payable to USD 428. (Cf. Professional Development In-Service Plan)

Approved: 4-13-92

Certified employees may be granted leaves and absences. (Cf. negotiated agreement)

Approved: 4-13-92

Competent substitute teachers shall be secured as needed to provide a level of instruction commensurate with the regular teacher's performance as nearly as practicable.

Approved: 4-13-92

The Director of Curriculum and Instruction shall be responsible for establishing a procedure to secure certified substitutes. The district office will employ an individual to coordinate the daily acquisition of substitutes. All arrangement and requests for substitutes will be made through the District Education Center.

The Board of Education shall annually establish the rate of pay for substitute teachers.

Approved: 4-13-92

An educator in the performance of duties shall:

- Be accountable for using the current professional knowledge available concerning his/her respective field;
- Recognize basic dignities of all individuals with whom he/she interacts in the performance of his/her duties;
- Exercise due care to protect the mental and physical safety of students, colleagues, and subordinates for whom he/she is responsible;
- Be accountable for maintaining his/her integrity and avoid accepting anything of substantial value offered by another which is known to be or which may appear to be for the purpose of influencing his/her judgment or the performance of his/her duties;
- Accurately represent his/her qualifications;
- Be responsible to present any subject matter in a fair and accurate manner; and
- Extend to students the expectation and opportunity for individual action in pursuit of learning and take steps to ensure that the students have access to varying points of view.

Because teachers bear primary responsibility for maintaining proper control and discipline in the classroom, they may use such reasonable force as is necessary to ward off an attack; to protect another person; to quell a disturbance threatening physical injury to others; to obtain possession of weapons or other dangerous objects in the possession or control of a student; and/or to maintain discipline conducive to a quality educational program.

Approved: 4-13-92

**GC**

**Classified Personnel Section**

Classified employees shall be paid according to pay rates established by the board. Payment shall be made at the established pay date following the end of each pay period.

#### Work Assignments

Subject to board approval, the superintendent or his/her designee shall develop time schedules for all classified employees. Work assignments for classified employees shall be made by the superintendent or his/her designee.

#### Attendance Required

Regular attendance is required of all employees subject to leave provisions in district policy, employee handbooks, or other documents approved by the board. Excessive absences or tardiness, unauthorized leave, or unexcused absences may result in disciplinary action including termination of employment.

#### Workweek

For the purposes of Fair Labor Standards Act (FLSA) compliance, the workweek will be 12:00 a.m., Sunday until 11:59 p.m., Saturday.

#### Classification of Employees

For purposes of compliance with the Fair Labor Standards Act (FLSA), the superintendent shall ensure that all job positions are classified as exempt or nonexempt and that employees are made aware of such classifications.

#### Overtime

The employee shall not work more than forty (40) hours per week without the prior permission of the appropriate supervisor. (See GCR) Principals and supervisors shall monitor employees' work to ensure that the overtime provisions of this policy and the Fair Labor

Standards Act are followed. All employees shall be compensated for overtime worked, at a rate of one and a half times their normal rate of pay for any hours worked over forty (40) in a workweek.

Nonexempt employees whose workweek is less than forty (40) hours will be paid at the regular rate of pay for time worked up to forty (40) hours. Overtime pay will be provided only if an employee works more than forty (40) hours in a workweek.

Compensation for Out-of-Town / Overnight Trips (See GAN)

When classified personnel are required to be out of town on district business, they shall be compensated in the following manner:

Regular or overtime pay (or compensatory time) as appropriate for time away from Great Bend MINUS:

1. Eight (8) hours for sleep when overnight;
2. Reasonable time for meals [normally one (1) hour per meal]; and
3. Time used exclusively for pleasure or personal business.

Approved: 02-14-05

The board authorizes the Director of Business and Operations or designated representative to hire classified employees as the needs of the district dictate.

Approved: 4-13-92

A full-time classified employee is one who works at least 2,080 hours per fiscal year in a position not requiring certification by the Kansas State Board of Education.

A part-time classified employee is one who works fewer than 2,080 hours per fiscal year in a position not requiring certification by the Kansas State Board of Education.

A temporary/summer employee is one who may be employed on a temporary basis in a position not requiring certification by the Kansas State Board of Education.

Approved: 4-13-92

A comprehensive job description for each classification of classified (non-certified) employees will be developed by the district's administration. Job descriptions will not be included in these policies/rules but will be maintained in the superintendent's office. Requests to review specific job descriptions may be made to the Director of Business and Operations.

Approved: 4-13-92

Classified employees shall be paid according to wage scales and job classifications approved by the board. Wage scales shall not be included in these policies/rules but will be maintained in the superintendent's office. Wage assignment is determined in accordance with skill level and responsibility required by the job description as well as experience in the position.

No public funds will be spent by the board in the form of wages or salary for any school employee to sponsor any religious activity. No public funds will be spent by the board to pay any expenses of any school employee to attend any religious activity or conference.

Approved: 4-13-92

The board reserves the right to assign, reassign, or transfer classified employees as the need arises.

The Director of Business and Operations or designated representative has the responsibility to supervise all classified employees not directly under the supervision of a building principal. A building principal has the responsibility to supervise all classified employees who are assigned to the building as provided within the context of GCBA-R.

Approved: 4-13-92

The superintendent shall have the authority to suspend classified employees with or without pay. If a suspension without pay is imposed on a classified employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond.

Approved: 9-08-08

All classified employees serve at the pleasure of the board and may be terminated at any time by a majority vote of the board.

Approved: 4-13-92

A classified employee may resign from his/her position at any time.

Approved: 4-13-92

The board will make reasonable effort to establish and maintain adequate working conditions.

#### Time Schedules

The board delegates to the Director of Business and Operations or designated representative the authority to develop time schedules for all classified employees, subject to approval by the board.

#### Work Load

Work load assignments for classified personnel shall be made by the Director of Business and Operations or designated representative after careful deliberation and evaluation of personnel positions.

Approved: 4-13-92

#### Time Schedules

Time schedules for classified employees will be assigned at the beginning of employment by the Director of Business and Operations or designated representative.

#### Work Load

The normal work load for classified personnel shall consist of forty (40) hours per week for full-time employment. (Cf. Classified Personnel Handbook)

Approved: 4-13-92

Classified employees shall not be excused during their regularly assigned time schedule to perform outside work. Classified employees shall engage in no outside employment which, by nature or duration, will impair the effectiveness of their assigned duties.

Approved: 4-13-92

Classified employees may be granted leaves and absences. (Cf. Classified Personnel Handbook)

Approved: 4-13-92

Each full-time classified employee may be granted a paid vacation each year. (Cf. Classified Personnel Handbook)

Approved: 4-13-92

It is not the policy of the Board of Education to make any payment for unused vacation leave. All vacation leaves are to be used during the contracted year and they do not accumulate.

Approved: 12-13-93

Paid holiday leave may be granted to classified employees. (Cf. Classified Personnel Handbook)

Approved: 4-13-92