

COMBINED EMPLOYEE (Certified & Classified) HANDBOOK

2023 - 2024

Kenesaw Public Schools

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Kenesawschools.org

COMBINED EMPLOYEE HANDBOOK KENESAW PUBLIC SCHOOLS 2023 - 2024

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Kenesaw Schools Teacher Handbook 2023 - 2024 School Year

Foreword

Section 1 - Intent of Handbook

Welcome to Kenesaw Public Schools. This handbook is intended to be used by both certificated and classified staff to provide general information about Kenesaw Public Schools and to serve as a guide to the District's policies, rules and regulations, benefits of employment, and performance expectations.

References in this handbook to "teachers" are intended to apply to all certificated staff. This includes administrative staff to the extent the handbook deals with professional expectations and conduct. References in this handbook to "classified employees" are intended to apply to all staff who are not required by their position to hold a teaching or administrative certificate.

Every employee of Kenesaw Public Schools is responsible for becoming familiar with the handbook and knowing the information contained in it. Although the information found in this handbook is detailed and specific on many topics, the handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise. This handbook is intended to supplement other documents that deal with your employment, including your employment contract, the negotiated agreement between the Kenesaw Public Schools and the Kenesaw Education Association, and the policies and regulations of the Board of Education. In reading this handbook, please understand that where a direct conflict exists, state or federal law, the negotiated agreement, and Board policies and regulations will take precedence.

This handbook does not create a "contract" of employment. Staff positions and assignments which do not legally require a certificate or are otherwise not protected by the teacher tenure laws may be ended or changed on an "at will" basis notwithstanding anything in this handbook or any other publication or statement, except for a contract approved by the Board of Education.

The administration will be responsible for interpreting the rules contained in the handbook and shall have the right to make decisions and make rule revisions at any time. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon applicable school district policies, state and federal statutes and regulations, and the best interests of the District.

This handbook will be in effect for the 2023 - 2024 school year and subsequent school years unless replaced by a later edition.

Section 2 - Information About Kenesaw Public Schools

The first school opened in Kenesaw on December 15, 1873. It was a one-room school with one teacher. The school steadily grew, and two more rooms were added. In 1887, a wing was added to the building, and three teachers were employed. In 1890 the district was organized into a high school district, and the first high school class, composed of three members, graduated in 1892 from the tenth grade. Another wing was added to the building, and the eleventh grade was offered in the fall of 1902. The twelfth grade was added in the fall of 1910.

Kenesaw Public Schools has a long history and tradition of dedicating considerable time, effort, and resources to continually invest in our students. Together with the Kenesaw School Board and community stakeholders, the administration and staff of Kenesaw Public Schools ensure students receive the latest in technology trends, class facilities, transportation, quality of staffing, and a strong curricular and extracurricular offering. With the valued support of our patrons, KPS will continue to meet and exceed all expectations for student success, progress, and lifelong learning.

Section 3 - School Vision & Mission Statement

"Inspire Excellence"

In partnership with our community, we will provide a specially designed and challenging education, encourage positive citizenship, and promote lifelong learning.

Kenesaw Public Schools aims to provide:

- 1. A comprehensive, coordinated, and sequential curriculum based on state standards and district goals to promote student learning.
- 2. Focused instruction that develops content and skill mastery, analytical thinking, problem solving, work ethic, creativity, and respect for diversity.
- 3. An inclusive learning environment that serves the needs of all students and provides opportunities for achievement and success in academics and activities. Equitable and accessible learning environments that are emotionally safe and supportive and promote respect, trust, and integrity.
- 4. Fair assessment procedures and processes that evaluate the quality of instruction for all students and assists in establishing, monitoring, and achieving campus instructional goals.
- 5. A library/media/technology program that provides a wide range of accessible print and electronic resources that complement, supplement, and enrich curriculum and instruction. The program facilitates research, supports and encourages personal interest in reading and the study of current events, contributes to information literacy, and develops technological and other skills for accessing, evaluating, and using resources to enhance and enrich learning experiences for all students.
- 6. An activities program that focuses on active participation of all students, promotes a positive image of the school and community, and provides extracurricular participation opportunities outside of the regular school day and schedule.

- 7. Safe, orderly, and well-maintained facilities with adequate space, lighting, furnishings, and climate-control.
- 8. Credentialed and experienced instructional staff that actively engages students and applies content across subject areas.
- 9. Staff development opportunities that support the school's efforts in curriculum development, instructional improvement, assessment, and school improvement goals.
- 10. Administrators who demonstrate leadership in the development and implementation of school goals and policies, curriculum, instruction, assessment, and school improvement that guides and empowers faculty and staff to achieve goals and fulfill responsibilities supportive of quality learning.
- 11. A Board of Education that governs through orderly procedures which focus efforts of the school upon quality learning, result in equitable opportunities for learning for all students, and ensure accountability to the local community.
- 12. A welcoming environment for parents and community and a school system that demonstrates accountability to stakeholders by routinely assessing and reporting student progress toward accomplishment of academic content standards.

Kenesaw Public Schools expects every staff member and student to be treated with respect and dignity. A show of disrespect toward a staff member or insubordination on the part of students will not be tolerated.

Section 4 - Members of the Board of Education

Name	Position	Contact Information
Marlin Kimle	President	mkimle@kenesawschools.org
Kay Sidders	Vice President	ksidders@kenesawschools.org
Shandra Uden	Secretary	suden@kenesawschools.org
Tonya Hansen	Treasurer	thanson@kenesawschools.org
Troy Legg	Member	tlegg@kenesawschools.org
Katheryn Schneider	Member	kschneider@kenesawschools.org

Section 5 - Administrative Staff

Name	Position	Contact Information
Rick Masters	Superintendent	rmasters@kenesawschools.org
Don Webben	Elementary Principal	dwebben@kenesawschools.org
Nicole J. LeClaire	High School Principal	nleclaire@kenesawschools.org
Chuck Roe	K-12 Guidance Counselor	croe@kenesawschools.org

Section 6 - Teaching Staff

Name	Department	Grades
Kristen Benton	Science	7-12
Nancy Bittfield	5th Grade	5th Grade
Heather Breight	English	7-12
Johnna Burr	Library/Media Center	K-12
Morgan Cline	Title Title	K-6
Luis Cordova	Spanish	7-12
Heather Dibbern	Preschool	Pre-K (half-day)
Jack Einrem	Social Studies	7-12
Michaela Ellis	2nd Grade	2nd Grade
Molly Engelhardt	Business	7-12
Meghan Fisher	1st Grade	1st Grade
Bethany Gerdes	Kindergarten	Kindergarten
Carolyn Haney	LMHP	Pre-K - 12
Taylor Hanson	Preschool	Pre-K (full-day)
Alyssa Hartman	English/Business/Journalism	7-12
Hallie Hoffman	4th Grade	4th Grade
Preston Johnson	Health Science/PE	7-12
Jo Ellen Jones	Speech/Language Pathologist	K-12
Madison Junker	Secondary Special Education	7-12
Kylie Koehler	Art	K-12
Christian Kroos	MS Science; Tech Coordinator	7-12
Tessa Kuehn	Resource/SPED	K-6
Jamie Lay	Math	7-12
Sarah Mack	Math	7-12
Sierra Meyer	Ag Science	7-12
Jace Morgan	6th Grade	6th Grade
Sara Nielsen	Vocal/Instrumental Music	K-12
Dusty Perry	Industrial Tech	K-12
Craig Schnitzler	Activities Director; PE; Health	K-12
Jennette Tompkin	3rd Grade	3rd Grade

Section 7 - Support Staff

Name	Building	Position		
Garrett Bunde	District	Head Custodian		
Jackie Cornelius	District	Nurse		
Jan Dassinger	District	Secretary		
McKenna Ellis	Elementary	Paraprofessional		
Chelby Fegter	Preschool	Paraprofessional		
Michelle Frase	District	Cook		
Mary Gerloff	Elementary	K-6 Teacher's Aide		
Amy Hagan	Elementary	Paraprofessional		
Carol Hoffman	JH/HS	Paraprofessional		
Jennifer Jacobitz	District	Food Service Director		
Zach Jacobitz	District	Custodian		
Jill Kimle	Elementary	Paraprofessional		
Deb Krontz	District	Bookkeeper		
Tina Pracht	Elementary	Paraprofessional		
Stephanie Schade	District	Cook		
Gail Whitesel	Elementary	Paraprofessional		
Sarah Woodman	Elementary	Paraprofessional		

Article 1 – School Calendar and Schedules Section 1 - School Calendar

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13	14	15	16	17	18	19	AUG	-	MON	Teacher Inservice	JAN	4	THUR	START OF 2ND SEMESTER	14	15	16	17	18	19
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3	4	5	6	7	8	9	SEPT		MON	NO SCHOOL - Students	FEB	16	FRI	NO SCHOOL - State Wrestling	4	5		7	8	9
10	11	12	13	14	15	16	SEPT		MON	PD & Teacher Work Day PT Conferences	FEB	26	MON	1st Day Spring Practice	11	12	13	14	15	16
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22	23	24	25	26	27	22	ост	20	FRI	NO SCHOOL - Fall Break	MAR	8	FRI	NO SCHOOL - State BBB	17	18	19	20	21	22
29	30	31				-		23			MAR	8	FRI	Teacher Comp Day for FT Co.	24	25	26	27	28	29
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24	25	26	27	28	29	30					27/1/1/10	19998	WED	End of 2nd Semester - 47 Days	26	27	28	29	30	31
31											MAY	16	THUR	Teacher Work Day						
_									NT DAYS					10 STUDENT DAYS, 1 TEACH						

Section 2 - Daily Schedule

PERIOD	TIME	INS-TIME		
1	8:00-8:51	51		
2	8:53-9:44	51		
3	9:46-10:37	51		
4	10:39-11:30	51		
5/Lunch	11:30-12:51	51		
6	12:53-1:44	51		
7	1:46-2:37	51		
8	2:39-3:30	51		
	MINUTES	408		

	ELEMENTAR	Y
LUNCH	11:00-11:20	K-1
RECESS	11:20-11:40	
LUNCH	11:10-11:30	2-3
RECESS	11:30-11:50	hiii
LUNCH	11:50-12:15	4,5,6
RECESS	12:15-12:35	
MIDD	LE SCHOOL / HIG	H SCHOOL
LUNCH	11:30-12:00	7,8,9
CLASS	12:00-12:51	7,8,9
LUNCH	12:21-12:51	10,11,12
CLASS	11:30-12:21	10,11,12

WEATHER LATE START				
PERIOD	TIME	INS-TIME		
1	10:00-10:36	36		
2	10:38-11:14	36		
3	11:16-11:52	36		
4	11:54-12:30	36		
5th/10,11,12	12:32-1:08	36		
MS Lunch	12:30-1:00			
5th/7,8,9	1:00-1:36	36		
HS Lunch	1:08-1:38			
8	1:38-2:14	36		
7	2:16-2:52	36		
8	2:54-3:30	36		
	MINUTES	288		

	ELEMENTAR	Υ
LUNCH	11:30-11:50	K-3
INDOOR RECESS	11:50-12:00	Old Gym
LUNCH	12:00-12:20	4,5,6
INDOOR RECESS	12:20-12:30	Old Gym
MIDDLE	SCHOOL / HIG	H SCHOOL
LUNCH	12:30-1:00	7,8,9
CLASS	1:00-1:36	7,8,9
LUNCH	1:08-1:38	10,11,12
CLASS	12:32-1:08	10,11,12

WEDNESDAY 2:10 DISMISSAL					
PERIOD	TIME	INS-TIME			
1	8:00-8:38	38			
2	8:40-9:18	38			
3	9:20-9:58	38			
4	10:00-10:38	38			
Activity/SEL	10:40-11:33	43			
5/Lunch	11:33-12:44	41			
6	12:44-1:12	28			
7	1:14-1:41	27			
8	1:43-2:10	27			
	MINUTES	328			

ELEMENTARY						
LUNCH	11:00-11:20	K-1				
RECESS	11:20-11:40					
LUNCH	11:10-11:30	2-3				
RECESS	11:30-11:50					
LUNCH	11:50-12:15	4,5,6				
RECESS	12:15-12:35	i i				
MIDD	LE SCHOOL / HIG	H SCHOOL				
LUNCH	11:33-12:03	7,8,9				
CLASS	12:03-12:44	7,8,9				
LUNCH	12:14-12:44	10,11,12				
CLASS	11:33-12:14	10,11,12				

PERIOD	TIME	INS-TIME
1	8:00-8:30	30
2	8:32-9:00	28
3	9:02-9:30	28
4	9:32-10:00	28
5	10:02-10:30	28
6	10:32-11:00	28
7	11:02-11:30	28
8	11:32-12:00	28
1	MINUTES	226

Section 3 - Severe Weather and School Cancellations

The Superintendent may close public schools in case of severe weather. Representatives of the Superintendent's staff will notify local news media when inclement weather warrants such action. The information is broadcast regularly by radio and television stations and through PowerSchool Announcements (text messages and phone calls).

<u>Decision to Close Schools</u>. A decision to close school is made when forecasts by the weather service, law enforcement advisories, or civil defense officials indicate that it would be unsafe/unwise to hold school. When possible, a decision regarding closure of schools (for the next school day) will be made by 9:00 PM for announcement during the 10:00 PM nightly news. Because of uncertain weather conditions, early decisions to close schools are not always possible. In these instances, school officials will assess weather conditions throughout the night and will make the decision to close schools as early as possible (by 6:00 AM when conditions permit). In any case, an announcement will be made to the news media and through PowerSchool when schools will be closed. In some instances, schools will be open, but certain services may be canceled (bus transportation, kindergarten, preschool, student activities). Additionally, there may be situations or circumstances when, even in the event of a school closing, staff may be required to come to school.

<u>After School Starts.</u> Every attempt will be made to avoid closing school once classes are in session. In some instances, school closures after the start of/during the school day are inevitable due to severe and rapidly changing weather conditions. In these cases, parents will be given as much advance notice as possible and school closures will be broadcast to the media. Teachers will be responsible for remaining with students until all students have safely left school or the administration has made arrangements for remaining students.

<u>Parental Decisions-Absence or Pick-Ups.</u> Parents may decide to keep their children at home and/or may pick them up from school in inclement weather (except in case of a tornado). Students absent because of severe weather when school is in session will be marked absent. The absence will be treated like any other absence for legitimate causes provided parents properly notify the school of their decision. Students will not normally be dismissed from school during severe weather on the basis of a telephone request and therefore, parents should arrange to pick up and sign out their student from the front office.

Emergency Conditions. Regular drills are held as required by law throughout the school year and schools are equipped with an Emergency Exit System, Tornado Warning System, and Critical Incident Response System which, when activated, produce a loud warning signal and instructions to either evacuate the building or move to safer areas of the building. Detailed emergency response criteria are outlined in the Kenesaw Public Schools Crisis Management Plan. **School officials are not permitted to release students from the school building during a tornado warning.** In the event of an emergency exit alert or tornado warning, you should implement the school's established safety procedures.

Article 2 - Certificated Employees: Employment, Compensation, and Benefits

Section 1 - Employment

A teacher is employed by Kenesaw Public Schools when the teacher signs the Teacher's Contract and the Board of Education approves such contract of employment. The teacher's employment continues absent action by the administration or the Board of Education to non-renew, terminate, amend or cancel the teacher's employment contract with the school district, or action by the Board of Education to accept a resignation of employment.

On or after March 15 of each school year, a teacher may be requested to accept employment for the next school year and shall be required to signify such acceptance on or before April 1 or such other date after March 15 as may be designated in the notice. It is important for teachers to respond to the request to signify acceptance as a failure to signify acceptance of employment by the April 1 or other designated date shall constitute cause for amendment of termination of the teacher's contract. If a teacher signifies acceptance of employment for the next school year the teacher may either be issued a new Teacher's Contract or a "Contract Renewal Agreement."

Should a teacher wish to resign from employment, the teacher should give written notice of resignation to the Superintendent. The request to resign will be acted upon by the Board of Education. Mid-year resignations and resignations given late in the spring for the following school year can present significant planning problems for the District. If a mid-year resignation is submitted, or a resignation for the following school year is submitted after May 15 or after the teacher has signified acceptance of employment for the next school year, the Board of Education may act to not accept the resignation unless a suitable replacement can be found. The District will enforce the continuing contract of teachers accepting employment for the next school year under the provisions of Neb Rev. Stat. §79-829.S

Section 2 - Contract Days - Certificated Employees Only

Teachers are contracted for 184 days for the 2023 - 2024 school year (hereinafter referred to as the "contract year"). Such contract days shall be serviced by individual teachers on varying schedules as established by the Board of Education and administration. The district will pay certified staff (teachers) the equivalent of one day's substitute pay (\$145) for each day they are asked to work outside of their contracted days. For every seven hours outside of school contract time that each certified teacher devotes to Parent-Teacher conferences, the certified teacher will be granted a compensation day or comp day.

Section 3 - Make-Up Days - Certificated Employees Only

In the event teachers are not required to report for duty due to inclement weather conditions or other circumstances whereby a duty day is canceled, such days shall not be credited as a contract day served. Make-up days will be scheduled by the administration during the contract year as needed to allow all teaching staff to serve the full number of contract days.

Section 4 - Assignments

The professional duties to be performed by a teacher with the District shall be subject to assignment by the Superintendent of the District with the approval of the Board of Education. A teacher will be expected to devote full time during days of school to the teacher's position and to diligently and faithfully perform the assigned duties to the best of the teacher's professional ability. Job descriptions, where available, provide additional information about the position duties.

In addition to the normal duties traditionally required of teachers, a teacher may be assigned such "extra duty" assignments to support the extra-curricular programs of the District, which shall be upon such terms and conditions and at such additional rate of compensation as the Teacher and the District may agree upon or as set forth in the negotiated agreement. The extracurricular program of the school district is an integral part of the overall educational program of the school district. As such, a teacher shall not unreasonably refuse to accept such extra-duty assignments. In addition, performance in an extra duty assignment is a part of the evaluation of the teacher's overall performance to the District. The following extra duty pay is available:

- 1. Staff covering for a class period during their planning period will be paid \$25.00. This includes elementary teachers covering a class period during "specials" time.
- 2. Administrators qualify for extra duty schedule pay.
- 3. The district will pay coaching association dues.
- 4. The district will pay adults the following for working at Varsity athletic events:
 - a. Football \$25
 - i. Clock Operator \$25
 - ii. Announcer \$20
 - iii. Stat Taker \$20
 - b. Volleyball & Basketball
 - i. Clock Operator & Scorer \$25
 - c. Volleyball (J.V./Varsity)
 - i. Each Line Person (per set) \$20 (per triangular match; \$30 per dual match)
 - ii. Libero Tracker (per set) \$5
 - d. Ticket Taking \$25 per event

Section 5 - Personnel File

The District will follow the requirements of state and federal law and regulation with regard to a teacher's personnel file, including but not limited to Neb. Rev. Stat. § 79-8,109.

Section 6 - Grievances and Complaints

Teacher grievances regarding wages, hours, and conditions of employment set forth in the negotiated agreement shall be governed by the grievance or complaint procedure in the negotiated agreement. All other employment related grievances or complaints shall be addressed through the administrative chain of command following the process set forth in board policy. Teachers should make every effort to resolve any personal or professional conflicts directly with the person(s) involved. The following steps are provided for guidance in dealing with staff conflicts.

Step 1 Schedule a conference with the staff member most immediately or directly involved in the matter. If the matter is not resolved, proceed to Step 2.

Step 2 Address the concern to the Principal. If the matter is not resolved, proceed to Step 3.

Step 3 Address the concern to the Superintendent. If the matter is not resolved, proceed to 4.

Step 4 Address the concern to the Board of Education.

There are specific procedures outlined in Board Policy 4003 to address certain complaints or concerns such as discrimination, harassment, bullying, and disciplinary actions that should be used when and where applicable.

Section 7 - Compensation

Regular Salary and Extra-Duty Compensation. Compensation is paid only as authorized by the Board of Education. Teachers are paid a salary based on placement on the salary schedule set forth in the collectively bargained negotiated agreement between the District and the collective bargaining agent for the certificated teaching staff (referred to in this handbook as the "negotiated agreement"), and the extra-duty salary schedule also incorporated into the negotiated agreement.

<u>Changes in Salary Schedule Placement</u>. Changes in a teacher's placement on the salary schedule shall be governed by the provisions of the negotiated agreement. Teachers are expected to provide the Superintendent with a transcript for all graduate hours earned for purposes of advancement on the salary schedule on or before <u>September 1</u> of the school year in which such hours are to be credited for the teacher's placement on the salary schedule. Failure to timely provide an official transcript from the post-graduate institution of the graduate hours earned will result in a loss of such credit for the present school year.

<u>Salary Payments</u>. Salary is payable over twelve equal installments. Teachers will be paid on the 15th of the month, or the last preceding school day, if the 15th falls on a vacation or weekend. In emergency cases, exceptions may be made subject to the approval of the Board. In no case shall the Board advance more than one month's salary. Upon separation of a teacher's employment, or upon fulfillment of the contract, the teacher may, at the option of the Board, be paid all salary due in one lump sum.

Additional compensation over and above regular compensation, extra-duty pay and supplemental pay shall be disbursed as it is earned and deductions from compensation due to unpaid leave shall be taken out as they are reported to the payroll office. Reimbursements for mileage or other expenses will be considered separate from compensation. Each teacher will receive a 2% base salary increase for completion of every 10 years of service, retroactive beginning the 2015-16 school year.

Section 8 - Extended Duty Pay

Extended duty for any teacher beyond the number of contract days established by the Board of Education for the school year shall be a negotiated percentage of schedule placement on a per diem basis for such teacher's extended time.

Section 9 - Benefits

Teachers are provided benefits in accordance with the negotiated agreement, group health insurance plan requirements, and the school district's Section 125 Plan document. Teachers shall make annual fringe benefit elections by September 1 of each school year. Should a teacher fail to make such an election, the teacher election from the immediately preceding school and contract year shall be continued. Each teacher is responsible for informing the Office of the Superintendent in writing of any changes in benefit status.

Continued health insurance benefits are available through COBRA subject to certain qualifying requirements. A Notice of COBRA Continuation Coverage Rights is attached to this handbook as Appendix "A."

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

Section 10 - Payroll and Payroll Deductions

Salary and benefits are paid in accordance with the individual employment contracts and negotiated agreement. Payroll deductions shall be made in accordance with law and the negotiated agreement.

Section 11 - Expense Reimbursement

Reimbursement for authorized mileage will be paid to teachers required to drive their own vehicles during their regular scheduled working hours between two or more work sites. Claims for reimbursement should be submitted to the appropriate supervisor. The allowable rate shall be governed by Board policy, unless otherwise required by law. The District is not liable for physical damage to employee vehicles.

Materials necessary for instruction are provided by the District. If teachers need additional materials for instruction or school-related purposes, the request should be made to the Principal.

Reimbursement for purchase of materials or for meals or other expenses related to travel must be submitted to and approved by either the Principal or, if the expense relates to an activity, by the Athletic Director. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school-purpose.

Section 12 - 403(b) Salary Reduction Agreements

The District will cooperate with any teacher who chooses to participate in an investment program under Internal Revenue Code Section 403(b) provided that the certificated employee executes a "Salary Reduction Agreement" provided by the District and the vendor of the 403(b) Plan elected by the teacher has entered in to a "Service Provider Agreement" with the District holding the District harmless from any liability that may arise out of such 403(b) Plan, including, but not limited to, the calculation of the maximum exclusion allowance, tax reporting, notices and income withholding.

Section 13 - Overtime

Teaching professionals are classified as exempt from overtime under the Fair Labor Standards Act (FLSA). The overtime exemption for teaching professionals is not dependent on whether the employee is paid on a "salary basis." Exempt employees are not eligible for overtime or compensatory time. A publication provided by the federal government which provides more information about the FLSA is attached as Appendix "A" to this handbook.

Any non-exempt employees must receive prior approval from their supervisor to work additional hours beyond their regular work schedule. Non-exempt employees must be paid for each hour worked in excess of 40 hours in a workweek. The regular workweek is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime pay for non-exempt employees will be paid at the rate of not less than 1½ times the employee's regular rate of pay for hours worked in excess of the 40 hour workweek. Employees with two or more non-exempt positions may be eligible for overtime pay based upon the total

number of hours worked in one workweek. If applicable, the employee and the Superintendent will agree upon the overtime rate, in compliance with FLSA regulations. A non-exempt employee may request compensatory time in lieu of overtime pay, with approval of the employer, with the rate figured as 1½ times the number of hours worked in excess of 40 hours in any work week. Compensatory time may be accumulated up to 40 hours upon approval by their supervisor. Any accumulation of compensatory time over 40 hours must be approved by the Superintendent. The FLSA limits the accumulation of compensatory time to 240 hours.

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.

Article 3 - Classified Employees: Employment, Compensation, and Benefits

Section 1 - Employment

Employment occurs when the employee signs the Employee's Contract and the Board of Education approves such contract of employment.

Classified employees may be asked in the spring whether they wish to continue in employment during the following school year. This is done for staff planning purposes and does not constitute an offer of employment.

Should an employee wish to resign from employment the employee should give two weeks' written notice of resignation to the Superintendent. The request to resign will be acted upon by the Board of Education.

Classified employees are "at-will" employees, and may be terminated at any time by the school district. Notice of termination may be delivered by the administration or Board of Education. The termination of employment will be acted upon by the Board of Education at a regular or special meeting.

Section 2 - Assignments

The duties to be performed are subject to assignment by the administration and your supervisor. Job descriptions, where available, provide additional information about the position duties.

Employees are expected to devote full time during days of school to their work and to diligently and faithfully perform the assigned duties to the best of the employee's ability.

Section 3 - Personnel File

The District will follow the requirements of state and federal law and regulation with regard to an employee's personnel file.

Section 4 - Grievances and Complaints

Employee grievances or complaints shall be addressed through the administrative chain of command following the process set forth in board policy or this handbook.

Section 5 - Compensation

<u>Compensation</u>. Compensation is paid only as authorized by the Board of Education.

<u>Salary Payments</u>. Salary is payable over twelve equal installments. Employees are paid on the 15th of the month, or the last preceding school day, if the 15th falls on a holiday or weekend. In emergency cases exceptions may be made, subject to the approval of the Board. Upon separation of employment, or upon fulfillment of the contract, employees may, at the option of the Board, be paid all salary due in one lump sum.

Section 6 - Benefits

Classified employees are provided benefits in accordance with their employment contract and Board policy. Annual fringe benefit elections are to be made by September 1 of each school year. Should an employee fail to make such an election, the employee election from the immediately preceding school and contract year shall be continued. Employees are responsible for informing the Superintendent's Office in writing of any changes in benefit status.

Continued health insurance benefits are available through COBRA, subject to certain qualifying requirements. A Notice of COBRA Continuation Coverage Rights is incorporated into this handbook as Appendix "A."

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

Section 7 - Payroll and Payroll Deductions

Payroll deductions are made in accordance with law and elections made by employees.

Section 8 - Expense Reimbursement

Reimbursement for authorized mileage will be paid to employees required to drive their own vehicles during their regular scheduled working hours between two or more work sites. Claims for reimbursement should be submitted to the employee's immediate supervisor. The allowable rate shall be governed by Board policy, unless otherwise required by law. The District is not liable for physical damage to employee vehicles.

Reimbursement for purchase of materials or for meals or other expenses related to travel must be submitted to and approved by either the employee's immediate supervisor or, if the expense relates to an activity, by the Athletic Director. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school purpose.

Reimbursable mileage or other reimbursement expenses will be considered separate from compensation and be paid at the time of the next monthly payroll after sufficient support documentation is provided.

Necessary materials and supplies are provided by the District. If an employee needs additional materials for performance of duties, the request should be made to the employee's immediate supervisor. Employees who purchase materials or supplies without advance approval may not be reimbursed.

Reimbursement for meals or other expenses related to District-required travel must be submitted to and approved by either the Principal or, if the expense relates to an activity, by the Athletic Director. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school purpose.

Section 9 - 403(b) Salary Reduction Agreements

The District will cooperate with any employee who chooses to participate in an investment program under Internal Revenue Code Section 403(b) that has been approved by the Board of Education.

Section 10 - Overtime

Overtime is paid to classified employees in accordance with the Fair Labor Standards Act (FLSA). A publication provided by the federal government which provides more information about the FLSA is attached as Appendix "D" to this handbook.

Classified employees may be classified as either "exempt" or "non-exempt" for overtime purposes. Employees who are classified as exempt employees are not eligible for overtime. Those who are "non-exempt" are eligible for overtime.

The regular workweek for overtime purposes is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Employees will be expected to accurately report hours worked. Falsification of time cards is a serious offense.

Non-exempt employees must receive prior approval from their supervisor to work additional hours beyond their regular work schedule. Non-exempt employees will be paid for each hour worked in excess of 40 hours in a workweek and are expected to accurately and timely report overtime hours to their supervisor.

Overtime pay for non-exempt employees will be paid at the rate of not less than 1½ times the employee's regular rate of pay for hours worked in excess of the 40 hour workweek. Employees with two or more non-exempt positions may be eligible for overtime pay based upon the total number of hours worked in one workweek. If applicable, the employee and the Superintendent will agree upon the overtime rate, in compliance with FLSA regulations.

A non-exempt employee may request compensatory time in lieu of overtime pay, with approval of the employer, with the rate figured as 1½ times the number of hours worked in excess of 40 hours in any work week. Compensatory time may be accumulated up to 40 hours upon approval by their supervisor. Any accumulation of compensatory time over 40 hours must be approved by the Superintendent. The FLSA limits the accumulation of compensatory time to 240 hours.

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 overtime exemption to be applicable. 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.

Article 4 - Absences from Work

Section 1 - Absence Procedures

Requesting Leave. Leave requests should be made as soon as practicable under the circumstances. An employee who wants to use available leave is to submit a Request for Leave through the District's Time Management System (TMS) at least 5 duty days prior to the leave. The supervisor may require that more advance notice be given depending on the nature of the employee's duties or the need to schedule a substitute.

Giving Notice of Unscheduled Absences. An employee who is unable to request advance approval for an absence because of the nature of the circumstance requiring the absence (such as personal illness or unforeseen emergency) is to report the need to be absent as soon as the situation is known. To report the need to take a sick or bereavement leave, employees are to contact the administration before 6:30 a.m. Before the end of the day on the first day of the absence, and on each subsequent day of absence, the employee is to report to the administration whether the employee will be able to return to work on the next duty day. For sick or bereavement leaves occurring in circumstances where the need for the leave can be determined in advance, the employee is to make a report of the need to take the leave as soon as possible.

Returning from Absences

- 1. Justification for Absences Taken Without Prior Approval. If an employee is absent without advance approval either: (1) the day immediately preceding or immediately following a regularly scheduled school break (such as winter break, spring break, and quarter or semester breaks) or (2) during the first two weeks or the last two weeks of school (student days), the employee will be required to give verification (for example, a doctor's note) to establish that the employee was unable to work for an excusable condition or excusable reason.
- 2. Establishing Fitness for Duty. Employees must present a written statement from their physician or health care provider to their supervisor when absent for any period of time because of injury requiring care from a physician or health care provider, or absent from work for 10 days or more due to a personal health condition. The statement is to clearly verify that the employee is mentally and physically able to return to duty. This statement is to be presented in person to the employee's supervisor before the employee returns to duty in order that the readiness to perform work can be observed and discussed. Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of their position to their supervisor and to request a meeting with the Americans with Disabilities Act (ADA) Coordinator to discuss the provision of reasonable accommodations. The District will not discriminate against any employee due to disability and will provide reasonable accommodations. Information provided about medical conditions or disabilities shall be treated as confidential, as required by state and federal statutes, and will be divulged only to the extent necessary to provide reasonable accommodations.

Section 2 - Paid Leave - Sick and Personal Leave

Employees are provided with paid sick and personal leaves in accordance with their employment contract and Board policy. During such paid leaves, employees continue to receive their salary and fringe benefits.

The leaves provided by the District are to be used for the purpose intended. Abuse of leave privileges affects the students, other staff, and the entire District and will not be tolerated.

Employees are to use sick leave when unable to work. Activities other than caring for their own health or that of an immediate family member reflect an abuse of sick leave.

Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services. The taking of a bereavement leave without attending funeral services would be an abuse of bereavement leave, except in the case of the death of the employee's parent, child or spouse, where grief would be expected to impair the employee's ability to function at work.

Paid Leave

- 1. **Nature of Paid Leave**. Paid leave is available to employees when the following specific conditions are met: (1) the employee is currently employed by the District; (2) the paid leave day is taken on a day the employee would otherwise be expected to be at work; and (3) the employee has met the conditions that are applicable to the type of paid leave that has been requested.
- 2. **Leave Year.** The leave year for paid leaves is the District's school year.
- 3. **Leave Days.** Paid leave days are provided based on the same number of hours the employee is scheduled to work on the day the leave is taken. For example, if an employee is scheduled to work 8 hours on a day that sick leave is used, the use of the sick leave on that day constitutes the use of 1 full sick day. Paid leave days may not be used in increments of less than one-half day unless otherwise specified or approved.

Sick Leave

- Availability. Sick leave is a paid work day when the employee may be absent from duties. Sick days are only available when the employee is unable to perform assigned duties due to the illness or temporary disability of the employee or due to the employee needing to care for a member of the employee's immediate family who is ill or has a serious health condition. Immediate family for purposes of sick leave means the employee's spouse and dependent child.
- 2. *Use of Sick Leave*. Employees are to use sick leave when unable to work. Activities other than caring for their own health or that of an immediate family member reflect an abuse of sick leave.
- 3. Days Per Leave Year (<u>Certificated Employees</u>). Teachers on a full-time basis will be allowed 10 sick leave days available per leave year and may be accumulated to a maximum of 45 days to use in any one school year. A teacher may use up to two sick leave days per year to attend funerals other than immediate family, days not to be used consecutively.
- 4. Carry-over and Accumulation (Certificated Employees). Unused sick leave may be carried over from one leave year to the next succeeding leave year to a maximum of 45 sick leave days. Once the maximum is accumulated, no further sick leave days will be available or granted for the ensuing leave year or years until the accumulated number of days is less than 45, and then only to the extent necessary to restore the total number of available sick leave days to the maximum of 45 days. Employees who have accumulated sick leave days in excess of said maximum prior to the 2015-2016 school year will continue to have the excess days available for use, but will not be given any additional sick leave days until their unused days are less than the maximum of 45, and then only to the extent necessary to restore the total number of available sick leave days to the maximum of 45 days in a leave year. At retirement, staff will be reimbursed \$60.00 for each unused sick day, up to 45 days. Teachers must be employed by Kenesaw Public Schools for a minimum of 15 years to qualify. Staff will be eligible for a \$300 bonus for no sick days used, paid yearly.

5. Funeral Leave. Paid family bereavement leave is available to eligible employees in the event of the death of an immediate family member. The term "immediate family" for this purpose means the employee's spouse, child, parent, grandparent, grandchild and sibling; and family members standing in the same relation to the employee's spouse (in-laws). Family bereavement leave is available for each such death, provided that the total paid family bereavement taken in a leave year not exceed 10 days. Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services. The taking of a bereavement leave without attending funeral services would be an abuse of bereavement leave, except in the case of the death of the employee's parent, child or spouse, where grief would be expected to impair the employee's ability to function at work. There is no carry-over or accumulation of unused bereavement leave.

<u>Personal Leave (Certificated Employees)</u>

- 1. Days per Leave Year. Three non-accumulative days (which may be taken as quarter, half, or full days) of leave on full pay each year will be available to each certified employee. Requests for leave days shall be submitted in writing to the Principal at least one week in advance and only two teachers may be on personal leave at the same date (determined by date and time request submitted). Leave dates may not be available when athletic and activities are held during the school day. Leave days are requested during the last two weeks of school and for three consecutive days must be approved by administration.
- 2. Unused Leave. Staff will be reimbursed substitute pay rate per day for personal days not used up to 2 days a school year. This reimbursement will be included in the July pay period. In the event the Superintendent determines that the employee has engaged in misconduct and the employee is terminated or involuntarily resigns, there shall be no pay for unused days. In the event unused vacation is required to be paid, the employee will be paid at the employee's daily rate of pay at the time the unused vacation day first became available.

Discretionary Leave (Certificated Employees)

Discretionary leave is designed to add a measure of flexibility to the scheduled workday and may be used for emergency, business, or family matters such as conferences or school activities. This type of leave is intended to be used infrequently and for sufficient reason. Discretionary leave is allowed up to a maximum of two hours or less and is granted at the discretion of the building principal or Superintendent. No stipend for teachers that cover classes will be offered. Student learning shall not be impeded by discretionary leave and teachers should inform the administration when arranging for this type of leave. Teachers will not be granted more than 4 hours discretionary leave per year.

Section 3 - Payroll Deductions for Absences in Excess of Paid Leave

Should an employee be absent from work in excess of the employee's accumulated sick leave or other paid leaves called for in the employment contract and negotiated agreement, the employee's salary and fringe benefits (including the cost of premiums for group health insurance) shall be reduced by the day or days of work missed on a per diem basis calculated using the number of days missed as the numerator, and the number of total contract days for the school years as the denominator; e.g. one day missed = 184th of total salary and fringe benefits.

Section 4 - Leaves of Absence

An employee may apply to the Board of Education for a leave of absence from the employee's duties. The Board of Education considers such requests on a case-by-case basis. No leave of absence shall extend beyond one school year. All leaves of absence shall be without pay except as may be required under applicable state or federal laws.

Section 5 - Unpaid Leaves

Kenesaw Public Schools complies with laws that require leaves to be allowed without loss of pay, such as for FMLA leaves, military service and jury duty. Should an employee be absent from work in excess of the employee's available paid leaves, the absence will be an unpaid leave. The employee's salary and fringe benefits (including the cost of premiums for group health insurance) may be subject to reduction for the day or days of work missed.

Section 6 - Jury Duty Leave

An employee who is summoned for jury service must promptly notify the employee's immediate supervisor. The employee will be allowed time off for jury duty.

There will be no loss of salary or deduction in leave time for time spent in jury service. The school district may at its discretion reduce salary by an amount equal to any compensation, other than expenses, paid by the court for jury duty.

If an employee reports for jury duty in the morning and is then dismissed from jury duty for the remainder of the day, the employee is to report for work and resume duties for the balance of the day, except as may be otherwise arranged by the employee's immediate supervisor (Neb. § 25-1640).

Section 7 - Family and Medical Leave

Employee Rights and Responsibilities under the Family and Medical Leave Act

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

<u>Basic Leave Entitlement</u>. FMLA provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for your child after birth, or placement for adoption or foster care;
- To care for your spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes you unable to perform your job.

The "leave year" for purposes of the FMLA is a "rolling" 12-month period, measured backward from the date of any FMLA leave usage.

<u>Military Leave Entitlement</u>. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

<u>Benefits and Protections</u>. During FMLA leave, your health coverage under a "group health plan" will be maintained on the same terms as if you had continued to work. Upon return from FMLA leave, most employees must be restored to their original or an equivalent position with equivalent pay, benefits, and other employment terms.

Your use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your FMLA leave.

<u>Eligibility Requirements</u>. You are eligible if you have been employed with Kenesaw Public Schools for at least one year, for 1,250 hours over the previous 12 months, and if there are at least 50 employees of the District within 75 miles of your work location.

<u>Definition of Serious Health Condition</u>. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents you from performing the functions of your job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regiment of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

<u>Use of Leave</u>. You do not need to use FMLA leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. You must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the District's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

<u>Substitution of Paid Leave for Unpaid Leave</u>. You may choose or Kenesaw Public Schools may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, you must comply with the District's normal paid leave policies.

<u>Employee Responsibilities</u>. You must provide sufficient information for the District to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You also must inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified. You also may be required to provide a certification and periodic recertification supporting the need for leave.

<u>Employer Responsibilities</u>. The District must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the District must provide a reason for the ineligibility.

The District must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the District determines that the leave is not FMLA-protected, the District must notify the employee.

<u>Unlawful Acts by Employers.</u> FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information you may refer to FMLA poster (Appendix "B") or contact the U.S. Wage and Hour Division at:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 www.wagehour.dol.gov

To submit a request for use of FMLA, or to make arrangements for payment of benefits while on an FMLA leave, contact Robby Thompson, Superintendent, at (402) 752-3215.

Section 8 - Military 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 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, and consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the school district. For leaves of fewer than 5 days, the employee is to notify the Superintendent of the leave request as soon as practicable.

Family military leave under the 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. §§ 2611, et seq.; 29 CFR Part 825 (FMLA)
	38 U.S.C. §§ 4301 to 4333;20 CFR Part 1002 (USERRA)

Section 9 - Adoption 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 early as possible.

Legar Reference: 3 10 23 1

Section 10 - Subpoena to Testify Leave

An employee must promptly notify the employee's immediate supervisor when the employee receives a lawfully issued subpoena to testify in court or to give a deposition that may require an absence from duty.

In the event the subpoena involves a job-related matter in which the employee is testifying on behalf of the school district, the absence will be treated similar to a jury duty leave.

In the event the subpoena involves a personal matter, the employee will be required to use available leave days. A subpoena will be considered to involve a personal matter whenever the employee or a family member or friend of the employee is a party to the legal proceeding, unless the employee's involvement in the legal matter is solely due to actions taken in connection with the employee's work duties, the actions of the employee were not inappropriate, and the school district is not an opposing party in the legal matter.

Section 11 - Voting Leave

Employees will be allowed paid time off to vote in an election if the employee: (a) is a registered voter; (b) does not have 2 consecutive hours during which the employee is not required to be present at work in the period between the time of the opening and closing of the polls; and (c) applies for voting leave prior to or on election day.

Voting leave will not be available to most employees because elections are typically scheduled for 8 a.m. to 8 p.m. Most employees are off duty on or before 6 p.m. If not off work by 6 p.m., the employee is usually not on duty before 10 a.m.

When voting leave is available, an employee will be entitled to be absent from work on election day for such a period of time as will, when considering the employee's non-working time, total 2 consecutive hours between the time of the opening and closing of the polls. When voting leave is used, no deduction shall be made from the employee's salary or wages on account of such absence. The employee's supervisor may specify the hours during which the employee may be absent for voting leave.

Legal Reference:	§ 32-922

Article 5 - Duties and Responsibilities

Section 1 - Hours of Work & Meetings

Regular, dependable attendance at work is an essential function of an employee's professional position. All employees are required to attend meetings called by the administration or their supervisors, except those meetings which are designated for optional attendance.

<u>Certificated Employees</u>: The Board of Education recognizes that teachers' responsibilities to their students and their profession generally involve the performance of duties and the commitment of time beyond the normal working day, but also recognizes that teachers and other educational professionals are entitled to regular time and work schedules on which they can rely in the ordinary course of events and which will be fairly and evenly maintained to the extent possible throughout the school system.

Schools may have differing starting and ending times for the student day. Staff may leave the building earlier when called to a professional meeting.

Certificated employees are required to serve on playground, lunchroom and hall supervision as designated by the Principal. The Principal will attempt to make an equitable distribution of such assignments and professional staff shall assume such duties as part of their work and agreement of employment.

Teachers shall attend meetings called by the Superintendent of Schools, principals, department heads and team leaders, except those meetings which are designated for optional attendance.

Section 2 - Arrival to Duty Assignments

<u>Certificated Employees</u> - Unless otherwise specified by the Superintendent or by negotiated agreement, members of the professional staff shall be on duty 30 minutes before the start of school and 30 minutes after the end of the day. Certificated employees other than teachers are expected to meet the same guidelines for entry to the building, being in their assigned duty area, and duty departure time. Teachers and other certificated employees who are part-time or work on adjusted schedules are to be in the building at least 10 minutes before their class or assigned duty begins, and to be in their classroom or assigned duty area at least 10 minutes before their class or assignment begins. During the school day, teachers are to be in their assigned classroom at least five minutes before each period begins to assure that students are not unsupervised within the classroom.

<u>Classified Employees</u> - Classified employees' work assignments may or may not be related to the regular school day. Classified employees are expected to know their duty dates and times and to be on time for work.

Section 3 - Leaving School

Teachers are to be on duty at all times during the school day and classified staff during the assigned work day. Teachers are considered on duty even during designated planning periods. An uninterrupted lunch period of not less than 30-minutes each day is provided to teachers during which they are not assigned teaching, supervisory, or other duties. Teachers who leave the school during the designated lunch period must check out with the Principal's office.

Certificated and Classified employees may not leave school or their assigned area during duty hours without approval of the Principal or their supervisor. Employees who leave the school during their designated lunch period or for an approved absence must check out with the Principal's office or their supervisor when leaving, and check back in upon return. Employees who need to leave during the school day for reason of illness or emergency are to make sure that a responsible person has been notified of their unexpected absence so work coverage may be provided.

Section 4 - School Procedures

Employees are expected to adhere to the following school procedures in the performance of their duties:

- 1. <u>Use of Cell Phones</u>. Employees are not to use personal cell phones for any non-school purpose during duty time.
- 2. <u>Transporting Students.</u> Employees are prohibited from using any personal electronic device to include cell phones, earbuds, etc... or otherwise engage in distracted driving while transporting students. This rule applies to the driver when the vehicle is in motion. The only exception would be in the case of emergencies. Employees will abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the District relating to driving a motor vehicle. Seat belts and child restraint systems will be utilized by all occupants.
- 3. <u>Checking Out of Equipment.</u> All equipment must be checked out through the building principal. All school equipment may be used only for school purposes. No school equipment may be directed to the personal use of a teacher or another District employee.
- 4. <u>Requisition of Equipment and Supplies.</u> Books and supplies which are needed for instruction should be requested through the Principal's office. No equipment or supplies ordered through the District may be directed to the personal use of a teacher or another District employee.

- 5. <u>District Network, E-Mail, Internet and Other Computer Use Rules.</u> Employees may be assigned a school e-mail address for purposes of intra-school and inter-school e-mail correspondence. Employees should check for e-mail throughout the duty day, and should timely respond to e-mails which require a response, but should avoid checking and responding to e-mails during instructional time. Use of the District's e-mail system for personal communications should be limited, and is subject to the rules governing overall computer usage found in Board policy and this handbook. The following policy and rules for acceptable use of computers and the network, including email and internet, shall apply to all district administrators, faculty, staff and students. The term "Users", as contained herein, shall apply to all such individuals. The Superintendent, or the Superintendent's designee, is hereby delegated all authority and is the ultimate person in charge of the district network and technology resources or equipment, and the same shall also be under the direct supervision of the site or building administrator where located, sometimes herein called "network administrators."
 - a. Users shall not erase, remake, or make unusable anyone else's computer, information, files, programs or drives. In addition to any other disciplinary action or legal action that may occur, any user violating this rule shall be liable for any and all damages to the computer, information, files, programs or drives.
 - b. Users shall not let other persons use their name, account, log-on password, or files for any reason (except for authorized staff members).
 - c. Users shall not use or try to discover another user's account or password.
 - d. Users shall not use the computers or network for non-instructional or non-administrative purposes (e.g., games or activities for personal profit).
 - e. Users shall not use the computer for unlawful purposes, such as illegal copying or installation of unauthorized software.
 - f. Users shall not copy, change, or transfer any software or documentation provided by teachers, or other students without permission from the network administrators
 - g. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code, software or information designed to self-replicate, damage, or otherwise hinder the performance of the network or any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
 - h. Users shall not use the computer to annoy or harass others with language, images, or threats. Users shall not access, accept, create or send any obscene, vulgar, lewd, tasteless, or objectionable messages, information, language, or images.
 - i. Users shall not damage the network or equipment, damage information belonging to others, misuse network resources, or allow others to misuse network resources. In addition to any other disciplinary action or legal action that may occur, any user violating this or any other rule shall be liable for any and all damages to the computer, network, information, files, programs or drives.
 - j. Users shall not tamper with computers, networks, printers, or other associated equipment except as directed by the teacher or network administrator.
 - k. Users shall not take technology equipment (hardware or software) from the school grounds or remove such from computer work areas without written permission of the network administrator.

- 6. <u>Etiquette and Rules for Use of Computers and the Network</u>. All users of computers and the network are expected to abide by the generally accepted rules of network etiquette. Informal rules of behavior have evolved for the use of and communication on the network, Internet and other on-line services. Breaches can result in harsh criticism by others. These rules of behavior include (but are not limited to) the following:
 - a. Be polite. Do not become abusive in your messages to others. Using "ALL CAPS" is considered aggressive/shouting.
 - b. Unless specifically requested by sender, do not "Reply to All" when addressing or responding to emails.
 - c. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language, message, information or images.
 - d. Do not reveal your personal account, address or phone numbers, or that of other students or colleagues.
 - e. Note that electronic mail (e-mail) is specifically not guaranteed to be private. People who operate the system do have access to mail. Messages relating to or in support of illegal activities may be reported to the authorities. Messages which violate the rules will result in disciplinary action.
 - f. All communications and information accessible via the network should be assumed to be private property of others.
 - g. Do not place unlawful information on any network system.
 - h. Keep paragraphs and messages short and to the point. Focus on one subject per message.
 - i. Include your signature at the bottom of email messages. Your signature footer should include your name, position, affiliation, and network or Internet address.
 - j. Other rules may be established by the network administrators or teachers from time to time.
 - k. Staff shall respond to all correspondence requiring or requesting a response within 24 hours.
 - I. Staff shall be mindful of personal use of social media and shall exercise caution when posting about topics that could be deemed inappropriate and/or insensitive. Furthermore, social media should never be used to communicate privately with students or staff regarding official school or district business.
 - 7. <u>Employee Mail Box</u>. Employees may be assigned a mailbox. Employees should check for mail upon arrival, in the course of the school day, if possible, and upon departure. If something requires an answer employees are responsible for responding promptly. Employee mail boxes are to be limited to communications regarding school business.

Section 5 - Supervision of Students

Proper supervision of students is an important responsibility for teachers and other adults responsible for our students. Teachers and other adults responsible for student supervision are expected to meet the four "P's" for student supervision and safety.

1. <u>Proper Supervision</u>

- Report to all duty assignments on time.
- Circulate through your duty area. Pay particular attention to areas and activities that pose an increased risk of injury.
- Be vigilant while supervising students. Never leave your classroom unattended; the need to make a copy is not greater than the need to supervise your students. If an emergency requires that you leave your classroom, request that another nearby staff member cover your class, or notify the office so someone can provide assistance. If you are on recess duty, your responsibility is to supervise the students in your assigned area. When talking with other adults or students, remember that your primary duty is supervision and make sure you are aware of what all students who you are to be supervising are doing.
- If you have seen or have been informed that a particular student has a propensity to act dangerously or in an unpredictable manner, your supervision of that student must increase with the known risk of injury. (Remember, though, that this type of information may be confidential—do not share confidential information about students except with other staff who need to know the information to perform their jobs).
- Be careful with touching students. Use of corporal punishment is prohibited at Kenesaw Public Schools. Touching students should be limited to that necessary to protect the student from harm (e.g., falling from playground equipment) and that which professional educators determine appropriate for purposes of proper student relationships.
- Be careful with your language. Profanity or abusive language should not be used by you. Be a good role model for students. If a student uses such language, you should correct the student and take such disciplinary action as is appropriate, which may include making a report to administration.

2. <u>Proper Instructions</u>

- Proper instructions are important to reduce the risk of injury when students undertake an activity, especially an activity that has an increased risk of harm to students.
- Repeat the instructions on how to complete a task that has a heightened risk
 of danger as often as needed. Do not assume because students heard the
 directions once that they will be remembered.
- When you go over safety rules with students, note it in your electronic or written records (e.g., PlanBook, PowerSchool).
- Review playground and classroom safety rules with students at least once each semester. Also, if any students are absent when you review the rules contact the student(s) to review the same information and also note that contact in your written records.

3. Proper Maintenance of Buildings, Grounds, and Equipment

- Conduct periodic inspections of equipment under your control or in your area of supervision.
- If equipment is broken and presents a risk of injury, immediately take it out of service (if it can't be moved, tape a "Do Not Use" sign) and notify the office so those repairs may be undertaken.
- Check your communication device (whether it be a school phone in your supervision area, a walkie-talkie, or a cell phone) periodically to make sure you can communicate with the office immediately in the event of an emergency.

4. <u>Proper Warnings</u>

 If you have knowledge of a hazard that can likely cause injury, take steps to warn other staff and students. Tell the office so additional warnings may be given.

Contact the Office for Assistance

The office administration should be contacted immediately when a situation exists which could cause injury to students or others. Examples include:

- student fight
- student health problem (fainting, bleeding, high temperature, difficulty breathing, etc.); if the office can not be immediately located, call 911 if the problem appears to be of immediate and serious concern
- a report or a suspicion that a student has a weapon or other dangerous item or drugs, alcohol, or other illegal substances
- presence of an intruder (a non-student or staff member who refuses to go to the office)

Student Searches

Teachers should not conduct searches of students or their property. If you suspect a student may be in possession of anything that is illegal and/or may cause harm, contact an administrator immediately. You may direct a student suspected of having an item in violation of school rules to wait with you until another adult is present, or to follow you to the office if you can leave your assigned area without causing risk of harm to others. Do not use physical force to detain the student or to make the student accompany you except as reasonably necessary to protect the student or others.

Student Rights

Students should be treated fairly and given the same treatment without consideration of race (including skin color, hair texture, and protective hairstyles), color, religion, gender, or disability. Students who need special accommodations should be given those accommodations as needed for them to participate in school and school activities. Further, students have the right to have their school records kept confidential. Such information should be shared only with other school staff with a need to know the information to perform their duties.

Section 6 - Managing Student Conduct

Discipline is everyone's responsibility. It begins with the student being responsible for his/her own behavior and understanding the consequences of unacceptable behavior. The teacher is responsible for articulating classroom expectations at the beginning of the school year, implementing the classroom expectations on a consistent basis, and being familiar with the student handbook. All staff are responsible for **all students** in the hallways, in the rest rooms, at assemblies, at pep rallies, during lunch, and at any other time students are present at a school sanctioned activity. Consequences for inappropriate behavior may include students making up time before or after school, a student or a parent conference, or a referral to an administrator.

The following guidelines will assist in maintaining appropriate student conduct and complying with the process required for student discipline.

- 1. On the first day of class make students aware of classroom expectations. Students will accept them if they know in advance and if they are fair and consistent. Students often appreciate giving input on classroom rules. These expectations should be in writing. Give one copy to the students, post one copy in the room and provide one copy for the principal.
- 2. It is important to document student behavior in your classroom, calls to parents, referrals, and/or communications with a student.
- 3. If, after attempts to improve student behavior, the problems continue, talk to the student's counselor or the Principal about possible alternatives in discipline procedures. Be attentive and respond to "bullying."
- 4. If a student continues to cause problems, inform the administration for disciplinary action using approved reporting forms/system. Be sure to state the problem clearly and expectations in terms of assistance, as at times the student's and teacher's stories are different. Be prepared to provide documentation.
- 5. Follow up on any referral. The student may not go to the principal or the counselor when sent. The administrator or attendance coordinator will inform the teacher of the consequences.
- 6. Refer students with continued and significant behavioral problems to the student assistance team for a determination of whether the student is in need of special services. Contact the counselor if you have questions as to the procedure.
- 7. Talk with other teachers about the classroom management techniques they use to establish an atmosphere conducive to learning in their classroom. A large repertoire of classroom management techniques always enhances learning.
- 8. Read and understand the student handbook and the student conduct rules of the District.
- 9. Use good judgment when dealing with difficult situations involving students. Physical confrontation generally escalates tense situations. Corporal punishment is prohibited in our school district and is not to be used. Physical force may only be used to the extent reasonably necessary to protect the student, yourself and others, and to protect property as may be reasonable.
- 10. Violations of student rules which are also violations of state law are required to be reported to law enforcement. Make a report of such conduct to the Principal so this law may be followed.

Section 7 - Dispensing Medication

Teachers are not permitted to give any medication to students unless trained under the Medication Aid Act, Neb. Rev. Stat. §71-6718 to 71-6743. Students who need to take prescription medicine must have a signed parent release form on file in the office. Medications are to be taken in the presence of the office staff, the nurse, or medication aide and are to be stored in the office. Medical procedures are not to be administered in the classroom except in accordance with the District's Safety and Security Management Plan and the District's Emergency Protocol (asthma/anaphylaxis protocol).

If students must take medication and/or perform medical procedures prescribed by a duly licensed physician during school hours, it is the responsibility of the parents or guardians to sign permission to dispense the medicine at the school and to submit a note or prescription from the physician authorizing the medicine and/or medical procedure. School district personnel will not administer medicine, including over the counter medicine, without this signed form and note or prescription. Any medication brought to school needs to be properly labeled. The label should include the following information: Student's name, name of medication, dosage needed, and time of dispensing the medication.

Section 8 - Reporting Child Abuse

Nebraska State Law and school policy mandates school officials to make a report to the proper law enforcement agency or the Department of Health and Human Services (Child Protective Services) when there is reasonable cause to believe that a child has been abused or neglected, or a child is in a situation which would reasonably result in abuse or neglect. According to Nebraska State Law, abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:

- 1. Placed in a situation that endangers his or her life or physical or mental health;
- 2. Cruelly confined or cruelly punished;
- 3. Deprived of necessary food, clothing, shelter, or care;
- 4. Left unattended in a motor vehicle if such minor child is six years of age or younger; Sexually abused; or
- 5. Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Teachers are to inform their principal or supervisor that they intend to make a report. Administrative staff may sometimes choose to make the report for a teacher. However, informing a principal or supervisor does not end the teacher's responsibility; teachers are obligated to make certain a report was made if they do not do it themselves.

It is vital that the report be made as accurately and as soon as possible. To assure accuracy, you are encouraged to document the date of the incident and specific statements or explanations made by a child regarding an abuse/neglect concern. Timeliness in making a report will assist in minimizing further risk to the child by allowing the police or Child Protective Services workers to interview the child during the school day and prior to an evening or weekend. In cases of physical injury (e.g., bruising or other marks), it is essential the police observe and document the injury. A counselor, the school social worker or an administrator will help you.

Article 6 - Personal and Professional Conduct

Section 1 - Professional Ethics Standards

Kenesaw Public Schools expects its employees to adhere to the professional ethics standards established by Rule 27 of the Nebraska Department of Education (modified for classified staff). The professional ethics standards which certificated employees are expected to adhere to include those set forth below and, although modification may be appropriate to apply to classified staff, the intent and expectations of professional ethics standards are the same as those mandated for certified staff by Rule 27. References to "educator" shall include all 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 public school certificate holders in the State of Nebraska and for all educators, including administrators, with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator/School Employee. Employees shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity. 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:

- A. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
- B. Shall not discriminate on the basis of race (including skin color, hair texture, and protective hairstyles), color, national origin, religion, disability, age, sex, or other protected category.
- C. 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.
- D. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
- E. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.

- F. Shall not sexually harass students, parents or school patrons, employees, or board members.
- G. Shall not have had revoked for cause in another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services counseling certificate is issued in Nebraska.
- H. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
- I. Shall report to the Superintendent any known violation of items B, E, or G above.
- J. Shall seek no reprisal against any individual who has reported a violation of this rule.

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:

- A. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
- B. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
- C. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
- D. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
- E. 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.
- F. Shall not tutor for remuneration students assigned to his or her classes unless approved by the Board of Education.
- G. 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:

- A. 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.
- B. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
- C. Shall neither offer nor accept gifts or favors that will impair professional judgment.

- D. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
- E. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
- F. 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:

- A. 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.
- B. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
- C. 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:

- A. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
- B. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
- C. Shall give prompt notice to the employer of any change in availability of service.
- D. Shall conduct professional business through designated procedures, when available, that have been approved by the employing agency.
- E. Shall not assign to unqualified personnel, tasks for which an educator is responsible.
- F. Shall permit no commercial or personal exploitation of his or her professional position.
- G. Shall use time on duty and leave time for the purpose for which intended.

Section 2 - Evaluations

Evaluations of employees will be conducted in accordance with the District's evaluation policy. Supervisors reserve the right to observe, appraise or evaluate employees more frequently than required by policy on an as-needed basis. Employees are expected to make themselves available for evaluation on request, to participate constructively and positively in the evaluation process, and to accept and implement constructive suggestions and improvement strategies developed by the administration.

Employees must possess the abilities and skills necessary to accomplish the designated task. Therefore, each employee shall:

- 1. Keep records for which he or she is responsible in accordance with law and policies of the school system;
- 2. Supervise others in accordance with law and policies of the District;
- 3. Recognize the role and function of community agencies and groups as they relate to the District and to his or her position, including but not limited to health and social services, employment services, community teaching resources, cultural opportunities, educational advisory committees, and parent organizations;
- 4. Utilize available materials and equipment necessary to accomplish the designated task;
- 5. Adhere to and enforce written and dated administrative policy of the District which has been communicated to the educator;
- 6. Use channels of communication when interacting with educators, community agencies, and groups, in accordance with policy.

Each supervisor shall:

1. Make reasonable assignment of tasks and duties in light of individual abilities and specialties and available personnel resources.

Communication Skills: In communicating with students and other employees, each employee, within the limits prescribed by his or her assignment and role, shall:

- 1. Utilize information and materials that are relevant to the designated task;
- Use language and terminology which are relevant to the designated task;
- 3. Use language which reflects an understanding of the ability of the individual or group;
- 4. Assure that the designated task is understood;
- 5. Use feedback techniques which are relevant to the designated task;
- 6. Consider the entire context of the statements of others when making judgments about what others have said;
- 7. Encourage each individual to state his ideas clearly.

Management techniques: The employee shall:

- 1. Resolve discipline problems in accordance with law, board policy, and administrative regulations and policies;
- 2. Maintain consistency in the application of policy and practice;
- 3. Develop and maintain positive standards of conduct.

Human and Interpersonal Relationships: Employees shall possess effective human and interpersonal relations skills and therefore:

- 1. Shall allow others who hold and express differing opinions or ideas to freely express such ideas;
- 2. Shall not knowingly misinterpret the statement of others;
- Shall not show disrespect for or lack of acceptance of others;
- 4. Shall provide leadership and direction for others by appropriate example;
- 5. Shall offer constructive criticism when necessary;
- 6. Shall comply with reasonable requests and orders given by and with proper authority;
- 7. Shall not assign unreasonable tasks;
- 8. Shall demonstrate self-confidence and self-sufficiency in exercising authority.

Personal Requirements: Each employee within the scope of delegated authority shall:

- 1. Be able to engage in physical activity appropriate to the designated task except for temporary disability;
- 2. Be able to communicate so effectively as to accomplish the designated task;
- 3. Appropriately control his or her emotions;
- 4. Possess and demonstrate sufficient intellectual ability to perform designated tasks.

Contractual Obligations: Employees shall adhere fully to the terms of a contract or appointment.

Section 3 - Role Model

Kenesaw Public Schools employees serve as role models for students and their actions and conduct reflect on the school as a whole. Employees are in all respects to conduct themselves in a professional manner.

Notification of Arrest. Employees must notify Superintendent by the next business day after:

- 1. <u>Arrest or Criminal Charges</u>. The employee is arrested, ticketed, or issued a criminal charge where:
 - a. The maximum penalty for the crime equals or exceeds six months incarceration;
 - 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 or relations with other employees of Kenesaw Public Schools;
 - 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 students; 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 property of Kenesaw Public Schools, or in a school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.

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 is not otherwise reportable.

<u>Certificate or License</u>. 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.

<u>Child Abuse</u>. 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.

<u>Visitors to Employees</u>. Employees are not to have visitors while on duty other than as appropriate for the performance of their duties except on a short-term basis and only with permission of the Superintendent or designee. Included in the definition of visitors are family members of the employee. Employees are responsible for ensuring that their visitors follow posted procedures for being on Kenesaw Public Schools' property. Employees are not to bring their children to work with them in lieu of taking them to childcare.

<u>Tobacco</u>. The use of tobacco products is prohibited in all school buildings and all school vehicles. Smoking shall also be prohibited in any area where school staff, students or members of the public may be present or may be affected by smoke, including without limitation the stands and bleachers of outdoor athletic fields and near the entry of school buildings.

For purposes of this policy, tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. This does not preclude adults from wearing non-visible nicotine patches, or using nicotine gum without displaying the product container, as part of a smoking cessation program.

Legal Reference:	§§ 71-5716 to 71-5734
Date of Adoption:	

Complaints or Concerns of Employees

Employees are to inform Kenesaw Public Schools of any complaints or concerns about the operations of Kenesaw Public Schools using the established chain of command (immediate supervisor, next higher level supervisor, etc.) on all matters that require administrative attention; that is, on all matters or issues that their job responsibilities require them to report to a supervisor.

It is important to the efficient and successful operation of Kenesaw Public Schools and a duty of all of the District's employees to share any such complaints or concerns in a responsible, professional manner such as to: (1) not disrupt the proper functioning of their office, department, or position, (2) not undermine the authority of their co-workers, supervisors, or superiors, (3) maintain close working relationships with their co-workers, supervisors, and superiors, and (4) ensure that all applicable laws and regulations are followed. All employee official communications must be accurate, demonstrate sound judgment, and promote Kenesaw Public Schools' mission. Employees must ensure that all applicable laws and regulations are followed by Kenesaw Public Schools and its employees. In the event an employee becomes aware of any such non-compliance, the employee is to report such to the employee's immediate supervisor (or the next higher level, if the supervisor is responsible for the problem) and maintain the confidentiality of the report so that the problem can be appropriately corrected in the best interests of Kenesaw Public Schools.

Employees are to use the appropriate complaint or grievance mechanism for matters involving discrimination or harassment or other established mechanism specific to the nature of the complaint or concern.

Kenesaw Public Schools will not tolerate unlawful retaliation against an employee for engaging in legally protected activity. A protected activity includes an employee's act of opposing an unlawful practice prohibited by employment discrimination or other laws that protect the conduct in question. Any act of unlawful retaliation by a supervisor or other employee may result in serious disciplinary action up to and including termination. Any employee may file a complaint with the Administrator or appropriate Coordinator if the employee feels that they have experienced unlawful retaliation in any form.

Section 4 - Relationships

It is important for Kenesaw Public Schools employees to maintain an effective working relationship with the administration and all co-workers, including other teachers and support staff. Employees are also to maintain appropriate relationships with students. Appropriate relationships are established by extending social courtesies, following through on commitments and promises, complying with administrative directives and Board policies, being honest and consistent, and not intruding into personal matters outside the scope of duties or gossiping or spreading rumors about others.

Section 5 - Professional 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, emailing a message about a student's grades).
- Engaging in social-networking friendships with a student on Facebook, Twitter, Instagram, or any 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.

Section 6 - Civility

All employees shall behave with civility, fairness and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the District. Uncivil behaviors are prohibited. Employees may be subject to disciplinary action up to and including termination for engaging in uncivil behaviors.

Uncivil behaviors are any behaviors that are physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent or harassing. Such interactions are prohibited in all forms of communication, including telephone conversations, voice mail messages, face-to-face conversations, written communications, and email messages.

Any employee aware of another employee's uncivil behavior shall report the conduct to the employee's immediate supervisor or to the Superintendent. There will be no retaliation against a person for making the report.

Section 7 - Professional Attire

It is important for employees to project a professional image to students, parents and co-workers. Appropriate attire and grooming is one of the means of projecting a professional image and employees are expected to maintain conservative and professional attire and grooming when on duty. As professionals, employees are expected to be aware of the standards to be maintained; at a minimum, employees should not wear clothing which students would not be permitted to wear at school. The administration may establish more detailed guidelines for individuals should that be necessary.

Section 8 - Employee Complaints or Concerns

Employees are to inform their supervisor or the Superintendent of any complaints or concerns about the operations of the District using the established chain of command (immediate supervisor, next higher level supervisor, etc.) on all matters that require administrative attention; that is, on all matters or issues that their job responsibilities require them to report to a supervisor.

It is important to the efficient and successful operation of the District and a duty of all employees to share any such complaints or concerns in a responsible, professional manner such as to: (1) not disrupt the proper functioning of their duties, (2) not undermine the authority of their co-workers, supervisors, or superiors, (3) maintain close working relationships with their co-workers, supervisors, and superiors, and (4) ensure that all applicable laws and regulations are followed. All official communications from employees must be accurate, demonstrate sound judgment, and promote the District's mission. Employees must ensure that all applicable laws and regulations are followed by the District and its employees. In the event an employee becomes aware of any such non-compliance, the employee is to report such to the employee's immediate supervisor (or the next higher level, if the supervisor is responsible for the problem) and maintain the confidentiality of the report so that the problem can be appropriately corrected in the best interests of the District.

Employees are to use the appropriate complaint or grievance mechanism for matters involving discrimination or harassment or other established mechanism specific to the nature of the complaint or concern.

The District will not tolerate unlawful retaliation against an employee for engaging in legally protected activity. A protected activity includes an employee's act of opposing an unlawful practice prohibited by employment discrimination or other laws that protect the conduct in question. Any act of unlawful retaliation by a supervisor or other employee may result in serious disciplinary action up to and including termination. Any employee may file a complaint with the Superintendent or appropriate Coordinator if the employee feels that they have experienced unlawful retaliation in any form.

Section 9 - Private Tutoring

Teachers are encouraged to provide individual assistance to students as a part of their duties. Teachers who engage in private tutoring for pay (compensation of any kind from a source other than the District) are subject to the following rules:

- 1. The teacher may not arrange to provide private tutoring for any child enrolled in the teacher's class.
- 2. The teacher is not to provide private tutoring in a school building.
- 3. The teacher is not to provide private tutoring during duty time.
- 4. The teacher is not to advertise or promote the teacher's private tutoring services in the school or in the school's communications systems except with the express permission of the Superintendent or designee.

Section 10 - Outside Employment

Employees shall not perform duties unrelated to District employment during duty hours. In addition, employees shall not engage in employment which conflicts with their school duties. Employees are not required to notify the District of outside employment except: (1) employees who are also employed by another Nebraska school district in order to comply with Nebraska State Retirement System regulations and (2) employees who have a work-related injury in order to comply with workers' compensation requirements.

Section 8 - Safe Transportation

When driving a school vehicle or transporting students, employees are to abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the District relating to driving a motor vehicle. Seat belts and child restraint systems will be utilized by all occupants. When transporting students, employees are not to use any personal electronic device including cell phones, earbuds, Ipads, or any other personal electronic device, or otherwise engage in distractions. This rule applies to the driver when the vehicle is in motion. The only exception would be in the case of emergencies.

Article 7 - Academic Matters

Section 1 - Purpose and Goals of Academic Achievement

The Kenesaw Public Schools Board of Education is committed to providing a quality education for all Kenesaw Public Schools students consistent with the school's mission statement. Effective, quality instruction by teachers is an essential means of meeting the District's mission of providing a quality education.

Section 2 - Classroom Procedures

Teachers are expected to adhere to the following classroom and school procedures in the performance of their duties:

- 1. <u>Bulletin Boards.</u> Each teacher shall be responsible for any bulletin boards in their classroom and must adhere to District policy regarding acceptable use and advertising. Bulletin boards should not be used in any manner that is not directly related to the educational goals and mission of the District.
- 2. Text Book and Room Inventory. All school purchased materials must be inventoried with the building bookkeeper or secretary and will be accounted for as part of the teacher check-out process at the end of every school year. Class sets of textbooks are to be numbered and either have cards in pockets or a form for writing the name of any student whom the book is regularly assigned and/or students that are checking the book out for use at home/off campus. Teachers should keep good records of who has which book as well as the condition of the book at both the end of and start of every school year.
- 3. <u>Use of Cell Phones</u>. Teachers shall not use personal cell phones for any non-school purpose during contract hours or extracurricular teacher duty time.
- 4. <u>Use of Teacher Aides</u>. Teacher aides provide valuable assistance in the educational process and allow teachers to carry out their responsibilities in a more efficient and effective manner. A teacher aide must not, however, assume teaching responsibilities. The teacher must maintain the role of leadership and responsibility for the students, with the teacher aide in a supportive role. Teacher aides may be used to assist the teacher by, among other tasks, assisting with instructional activities under the direction of the teacher, helping to supervise students, copying tests and other written material, organizing class materials, preparing bulletin boards, grading tests or class work, and calculating grades and recording grades. Teacher aides are to work only on their assigned work days and within their assigned work day. If the teacher desires the aide to work hours other than the assigned work hours or assigned work day, contact the administration for approval.

5. <u>Use of Student Aides</u>. Student aides are to be directly supervised by the teacher/administrator/staff they are assigned and are not to leave the building, in the halls or anywhere they are not being supervised. Student aides are not to be used to assist the teacher/administrator/staff by helping supervise another student, grade tests or class work, calculate student grades or record grades. Keys are NEVER to be given to students, whether they are student aides or not. A student aide should not be present and assisting a teacher without another adult present after the end of regular teacher duty hours.

6. Teachers Meetings/PLC

Teachers' meetings will be held as needed and required. **ALL** teachers are expected to be present for any staff meetings, unless they are absent from school for good cause or have made prior arrangements.

7. Classroom Environment. At all times, teachers are expected to organize, maintain and ensure that their classroom is in a safe, orderly and clean condition for student learning. Classrooms should be free from distractions (such as inappropriate or unprofessional posters or other displays) and other apparatus that may cause student health problems (such as essential oils and/or essential oil diffusers). Teachers who are uncertain as to whether their classroom meets this requirement are encouraged to consult with their building principal in a proactive manner. Staff members may not hang posters, flags, banners, or other displays in the classroom that are (1) unrelated to the curriculum and (2) may otherwise result in a disruption to the learning environment. Any staff member who is uncertain as to whether a particular display is permitted in the classroom should consult with their building principal in a proactive manner.

Section 3 - Teaching to Student Understanding to Assure Learning

Each teacher is responsible for teaching in a manner that meets the mission of the District and assures student understanding and learning of the principles and concepts to be presented to students within the curriculum adopted by the District. Teachers will model classroom instruction on the educational model implemented by the District and reflected in the teacher evaluation instrument adopted by the Board of Education. Teachers are responsible for familiarizing themselves with the instructional model and the principles of instruction set forth in the evaluation instrument. The administration shall provide periodic in-services regarding the instructional model.

State and federal laws and regulations have been enacted which require that students with certain needs be provided instruction and services consistent with those special needs. Examples include students who have been verified as in need of special education ("special education students"), students with other disabilities which impact the educational program ("504 students"), and limited English proficient students ("LEP or ELL students"). The District's policy is to comply with the state and federal laws and regulations in all respects. Teachers who are assigned special education, 504, or LEP/ELL students are required to provide instruction and services consistent with legal requirements and the requirements of Board policy and regulation.

Section 4 - Instruction in the Curriculum

Teachers shall instruct students in the curriculum, including the use of curriculum materials, adopted and implemented by the Board of Education and as directed by the administration.

Section 5 - Measuring and Reporting Academic Achievement

Grades and Grading. Measuring and accurately reporting the level of each student's academic achievement is of critical importance to students, parents, staff, the board of education and community. To this end, each teacher shall develop a variety of assessment instruments and techniques to measure student achievement in the curriculum adopted and implemented by the school district, record the results of such assessment, and report such results in the District's Student Information System (PowerSchool) and periodic grade reports to include report cards. Teachers should endeavor to measure student learning and understanding on a frequent basis during each quarter to provide an accurate evaluation of each student's academic achievement for that period. It is recommended that the teacher record at least two grades per week. It is generally preferable to give numerical grades for tests, quizzes, and daily work. GRADES MUST BE RECORDED FOR ALL CURRICULAR AREAS.

<u>Recording Grades</u>. Each teacher shall record grades in the District's Student Information System (PowerSchool). A sufficient number of grades must be recorded in the grade book to justify all quarter and semester grades for each student. Teachers must be able to support and justify the grades that each individual student earns.

<u>Grade Scales</u>. Teachers are to use only the grading scales set forth below. Any deviation from the approved grade scales must be approved by the building principal.

7-12 Grade

Α	90-100	
В	80-89	
С	70-79	
D	60-69	
F	0-59	

The preceding grade scales are expected to be used according to the following guidelines:

- 1. No other grade scales are to be used on official records or reports.
- 2. "Failing," "unsatisfactory" or equivalent terms indicate that student performance does not meet the minimum requirements established for the course. A final mark of "failing" or "unsatisfactory" in a credit-bearing course means that credit hours will not be granted.
- 3. The mark given at the end of each reporting period is considered an evaluation of the pupil's status at the time (for example, the final mark in a semester course is an evaluation of the pupil's status as of the close of the semester).
- 4. Teachers may exercise professional judgment in distributing marks. Marks are not expected to be distributed on a normal curve.

Reconsideration of Grades/Marks

Questions raised concerning duly assigned grades will be resolved cooperatively in a conference which includes the teacher(s) involved and the Principal. In the event a grade is questioned by parents or students, the parents/guardians and/or student may be included in the conference.

Failure to resolve the issue will result in a second conference involving the Superintendent or designee and the participants in the initial conference described above. The grades designated by teachers will not be changed unilaterally by the Superintendent unless the Superintendent determines that the grade is not consistent with the requirements of law, Board policy, or the best interests of the District.

<u>Reduced Credit</u>. Some students in certain situations may qualify for less than the number of credits normally granted for a course. Late entry or a serious injury at an awkward point in the semester would be a couple of examples. If a student is excessively absent from a class for any particular reason, a teacher may request reduced credit. All cases of reduced credit should be recorded on a "Reduced Credit/Error Summary" form and be approved by the Principal.

<u>Transfer Grades</u>. A student transferring into Kenesaw Public Schools at the 15 to 18 week time period will have all grades on transcript from an accredited school accepted for semester credit. Grades must be approved for credit by the Principal.

<u>Reports to Parents</u>. Grades and credit are assigned on a quarter (9 weeks) or semester basis (18 weeks). Reports are sent to parents at the close of each nine weeks during the school year; the reporting periods are referred to as first quarter, second quarter, first semester, third quarter, fourth quarter and second semester.

The grade reports are produced from information supplied by teachers and distributed to students at school or are mailed to parents.

All term or mid-quarter grades are calculated on a cumulative basis; i.e., the grade given at the end of the each quarter represents an evaluation of work done during that quarter, the combination of first and second quarter grades will be the first semester grade and combination of third and fourth quarter grades will be the second semester grade.

The end-of-quarter and end-of-semester reports are directed to parents, not to students. Students probably know quite well how they stand in such areas as citizenship, attitude, cooperation, attendance, preparation of assignments, etc. The parents do not have this knowledge. If any such factors have significant bearing on the student's grades or their relationship with teachers, parent contact should be made. At a minimum, teacher notes should be entered into PowerSchool anytime a student is not achieving either academically or behaviorally. These notes may call attention to deficiencies, faults, or failures; or they may be commendatory in nature. If carefully prepared, they can be most valuable. Parents need to have information about areas of strengths and areas needing improvement and progress being made by their child. For their instruction, and for our ultimate well-being, if and when problems arise, it is essential that the reports be as informative as possible. Teachers should accept, cooperatively and professionally, the responses that parents may make subsequent to the distribution of grade reports and should encourage parents to discuss any student-centered concerns sooner rather than later.

Section 6 - Lesson Plans

Teachers will prepare lesson plans which cover at least three days of advance instruction. The plans must be posted on the District's site for lessons (Plan Book).

The lesson plans must be sufficiently clear in establishing objectives and related activities so that they are easily used by a substitute teacher or other staff member not familiar with previous classroom activities or progress. The plan book must give specific reference to other instructional sources immediately available which will enhance the instructional lesson.

Section 7 - Grade and Attendance Records

Teachers are required to record and maintain students' attendance and achievement in the District's Student Information System (PowerSchool). Student records regarding attendance, academic progress, and conduct must be kept current and include the following minimum information:

- 1. The names and any assigned student numbers of all students enrolled in the class.
- 2. A complete record of the daily attendance of each student enrolled showing:
 - a. Days on which the student was tardy.
 - b. Days on which the student was absent, with a differentiation between excused and unexcused absences.
- 3. A complete report of all recorded grades for each student.
 - a. Teachers shall ensure that student work is graded and entered into the gradebook in a reasonable amount of time (typically within 5 days of the due date).
 - b. Teachers should record grades frequently enough to readily and realistically justify the term and final grades which are reported to parents.
 - c. All grades should be entered and calculated at least three days prior to the end of any grading period.
 - d. Upon request, a student's individual record in the teacher's class gradebook shall be made available for review or copying.
 - e. Information relating to other students should not be allowed to be seen by other students or parents.

Section 8 - Curriculum and Assessments

- 1. <u>State Assessments</u>. Kenesaw Public Schools has adopted an assessment plan and has aligned the curriculum with the state approved content standards. The assessment plan includes a schedule and procedures for assessing success in achieving state standards.
- Learning Targets. Teachers are to clearly articulate the learning targets and align
 instruction to the learning targets within each of the content standards. Teachers are to
 give students instruction on the content prior to students being assessed on each
 content standard in order to provide learning opportunities for all students.
- 3. <u>Formative and Summative Assessments.</u> Teachers are to conduct class and content assessments in a manner that assures they accurately assess whether or not students are meeting the targets outlined by the content standards.

<u>Achieving Valid Assessments</u>. Assessment results are to be reported by the teachers in the manner and within the time directed by the administration or designee. The assessment data is to be used to meet state standards, to provide students and parents with information about student progress, to enhance school improvement planning, and to improve instruction. The assessment data is to be evaluated by teachers to monitor student learning and to improve instruction or terminate ineffective teaching practices to ensure students are being given the opportunity to meet the standards.

Educators are responsible for maintaining the integrity of the assessments to ensure that assessments provide a valid measure of student progress and accomplishments. Educators are not to engage in any practice that may result in assessment results that do not reflect student learning, knowledge, skills or abilities in the area assessed.

For purposes of this policy, student assessments include both "summative" (including unit tests, projects, state assessments, norm referenced tests, and evaluations conducted for special education eligibility) and "formative" (e.g., daily assignments, classroom tests, quizzes, and other evaluative tools used to assign grades).

The following specific assessment expectations and rules apply:

- a. <u>Integrity of the Assessment Instrument</u>. The integrity of the assessment instrument is to be maintained.
 - i. <u>State Standardized Assessments</u>. Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.

- ii. <u>Coursework Assessments</u>. Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using "test banks." For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.
- b. <u>Teaching for Success on Assessments</u>. It is appropriate for educators to prepare students to do well on assessments. This is to be accomplished in a manner that assures the assessment accurately reflects the student's knowledge, and not simply test preparation.
 - i. <u>Teach the Content</u>. Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to "teach to the test" by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. "Cramming" assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.
 - ii. <u>Practice Tests</u>. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students. Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.

c. <u>Conditions for Successful Assessments.</u>

- i. <u>Communications</u>. Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.
- ii. <u>Climate</u>. Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.

- iii. <u>Security</u>. Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.
- d. <u>Full Participation</u>. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the Principal.

e. <u>Assistance During Assessments</u>.

- i. <u>Standardized State Assessments</u>. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).
- ii. <u>Coursework Assessments</u>. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.
- f. <u>Student Answers</u>. Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

Violations of the rules and expectations set forth in this policy will be considered to be a breach of the District's standard of ethics and may result in disciplinary consequences. Educators are to report suspected violations of the expectation to the administration. The administration is to investigate and appropriately respond to violations of the expectations.

Section 9 - Parent-Teacher Conferences

Parent-Teacher conferences are a critical opportunity for teachers to dialogue with parents (or guardians) of students regarding student achievement and learning. To this end, Parent-Teacher conferences will be scheduled and held at least twice during the school year. Teacher attendance at Parent-Teacher conferences is mandatory. A teacher may only be excused from attendance at Parent-Teacher conferences in writing by the Superintendent. The schedule setting forth the dates and times for the Parent-Teacher conferences will be listed in the school calendar. Teachers are expected to be prepared for such conferences. Being prepared includes having completed gradebooks which include all student assignments, work or tests completed within five (5) days of the date of the Parent-Teacher conference and examples of student work or progress.

Article 8 - Use of School Facilities and Equipment

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 unlawful manufacture, distribution, disposition, possession, or use of tobacco, alcohol or a controlled substance is prohibited in the workplace. The possession, use or distribution of illicit drugs or alcohol, the use of glue or aerosol paint or any other chemical substance for inhalation, and being under the influence of illicit drugs, alcohol, or inhalants, is prohibited in any place on school grounds, in a school utilized vehicle or any location over which the District had control. The possession or distribution of a look-alike drug or look-alike controlled substance is similarly prohibited. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol on an employee in the workplace or on duty time shall be a violation of the drug-free workplace. 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.

As a condition of employment employees will abide by the District's drug-free workplace policies and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed for violations of the District's drug-free workplace policies. Sanctions may include the requirement that the employee complete an appropriate rehabilitation program, a reprimand, or termination of employment. Drug and alcohol counseling and rehabilitation and reentry programs are available through local health agencies.

Section 2 - Smoke and Tobacco-Free Workplace

The use of tobacco products is prohibited in all school buildings and all school vehicles. Smoking shall also be prohibited in any area where school staff, students or members of the public may be present or may be affected by smoke, including without limitation the stands and bleachers of outdoor athletic fields and near the entry of school buildings.

For purposes of this policy, tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. This does not preclude adults from wearing non-visible nicotine patches, or using nicotine gum without displaying the product container, as part of a smoking cessation program.

Section 3 - Weapon-Free Workplace

The District prohibits any person from being in possession of a weapon at a school attendance facility, on school property, at a school-supervised activity, or at a school-sponsored function. Any employee found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

The term "weapon" means an instrument or object used, or which may be used, as a means of attack, defense, or destruction, including, without limitation:

- 1. Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- 2. The frame or receiver of any object described in the preceding example;
- 3. Any firearm muffler or silencer;
- 4. Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- 5. Any bludgeon, sandclub, metal knuckles, or throwing star;
- Any knife other than as used for strictly instructional or personal care or eating purposes. A pocket knife with a blade of 2-1/2 inches or more is a prohibited weapon. A switch-blade knife is prohibited regardless of size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- 7. Any electronic device designed to discharge immobilizing levels of electricity, such as a stun gun; and

- 8. The term "dangerous weapon" includes any personal safety or security device (such as tasers, mace and pepper spray). If a staff member desires to carry or possess a personal safety or security device, the staff member must obtain prior approval from the building principal before bringing such device on school grounds. If a staff member obtains prior approval from the building principal, the staff member must store the device during the school day in a secure location designated by the building principal. A staff member shall not carry the personal safety or security device during the school day.
- 9. A teacher may possess an item which may be considered a weapon where such item is used for instructional purposes and the teacher has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed.
- 10. Any other object that is designed for or intended for use as a destructive or injurious device.

The phrase "possession of a weapon" includes, without limitation, a weapon in an employee's personal possession or within reach (such as in the employee's vehicle), as well as in a employee's desk, locker, briefcase, backpack, or purse.

Section 4 - Use of District Computer Network and Internet

Employees have access to the District's computer network and the Internet for the enhancement and support of student instruction and performance of their duties. Such access is subject to the following computer acceptable use policy:

- 1. <u>Technology Subject to this Policy</u>. This Computer Acceptable Use Policy applies to all technology resources as made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.
- 2. <u>Access and User Agreements</u>. Use of the District's technology resources is a privilege and not a right. The Superintendent or designee may develop appropriate user agreements and require that employees sign such user agreements as a condition of access to the technology resources.
 - The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.
- 3. <u>Acceptable Uses</u>. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.

- 4. <u>Unacceptable Uses</u>. The following are unacceptable uses of the technology resources:
 - a. Personal Gain: Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.
 - b. Personal Matters: Technology resources shall not be used, and no person shall authorize its use, for personal matters.

Incidental or de minimis personal use is not prohibited by this provision. This exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time.

The exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for personal use; or sending an e-mail related to one's own private consulting business.

- c. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.
- d. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation,
 - 1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
 - 2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
 - 3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
 - 4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
 - 5. Users shall not copy, change, or transfer any software without permission from the network administrators.
 - 6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.

- 7. Users shall not engage in any form of vandalism of the technology resources.
- 8. Users shall follow the generally accepted rules of network etiquette. The Administrator or designees may further define such rules.
- e. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy or any applicable law. Without limitation, this means that technology resources may not be used:
 - 1. To access any material contrary to the District's Internet Safety Policy; or to create or generate any such material.
 - 2. To engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
 - 3. To engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.
 - 4. To promote or tolerate violations of student conduct rules.
 - 5. To engage in illegal activity, such as gambling.
 - 6. In a manner contrary to copyright laws.
 - 7. In a manner contrary to software licenses.
- 5. <u>Disclaimer</u>. The technology resources are supplied on an "as is, as available" basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
- 6. <u>Filter</u>. A technology protection measure is in place that blocks and/or filters access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate.

Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.

The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed District training on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of the staff member requesting said disabling, or (c) with the permission of the Administrator. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.

- 7. <u>Monitoring</u>. Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system.
- 8. Sanctions. Violation of the policies and procedures concerning the use of the District's technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful may be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

Employees have access to the District's computer network and the Internet for the enhancement and support of student instruction. It is important to remember that the equipment and the software are the property of the school district.

As a condition of using the computers and the Internet, teachers agree to the following:

- Since copyright laws protect software, teachers will not make unauthorized copies of software found on school computers by any means. Teachers will not give, lend, or sell copies of software to others unless the original software is clearly identified as shareware or in the public domain.
- 2. If a teacher downloads public domain programs for personal use or non-commercially redistributes a public domain program, the teacher assumes all risks regarding the determination of whether a program is in the public domain.
- 3. Teachers shall not access material that is obscene, child pornography or otherwise inappropriate matter for educational or work-related uses or contrary to the District's mission. Teachers are not permitted to knowingly access information that is profane, obscene or offensive toward a group or individual based upon race (including skin color, hair texture, and protective hairstyles), color, national origin, religion, disability, age, sex, or other protected category. Further, teachers are prohibited from placing such information on the Internet.

- 4. Teachers will protect the privacy of other computer users' areas by not accessing their passwords without written permission. Teachers will not copy, change, read, or use another person's files. Teachers will not engage in "hacking" or otherwise attempt to gain unauthorized access to system programs or computer equipment.
- 5. Teachers will not use computer systems to disturb or harass other computer users by sending unwanted mail or by other means.
- 6. Teachers will not disclose their passwords and account names to anyone or attempt to ascertain or use anyone else's password and account name.
- 7. Teachers will not attempt to login to the system as a system administrator.
- 8. Teachers understand that the intended use of all computer equipment is to meet instructional objectives.
- 9. Teachers will not waste or take supplies, such as paper, printer ribbons, toner, and diskettes that are provided by the District.
- 10. Teachers will not use the network for financial gain or for any commercial or illegal activity.
- 11. Attempts to bypass security systems on computer workstations or servers, or vandalism will result in cancellation of privileges and may result in further consequences. Malicious attempts to harm or destroy data of another teacher, or data that resides anywhere on the network or on the Internet, or the uploading or creation of computer viruses are forbidden.
- 12. The District will not be responsible for any liabilities, costs, expenses, or purchases incurred by the use of the District's telecommunications systems such as the Internet. This includes, but is not limited to, the purchase of online services or products. The teacher is solely responsible for any such charges. The teacher's acceptance of an email account is an acceptance of the teacher's agreement to indemnify the District for any expenses, including legal fees, arising out of the teacher's use of the system in violation of the agreement.
- 13. The Internet will be supplied for your use on an "as is, as available" basis. The District does not imply or expressly warrant that any information you access will be valuable or fit for a particular purpose or that the system will operate error free.
- 14. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
- 15. The District reserves the right to refuse posting of files, and to remove files.
- 16. The District further reserves the right to inspect a teacher's computer and computer usage at any time. Teachers have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system.
- 17. The computer system is not a public forum. It is provided for the limited purpose of advancing the District's mission.

- 18. A technology protection measure is in place that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate. The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed district training on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of the staff member requesting said disabling, or (c) with the permission of a building administrator. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.
- 19. Teachers shall not use or access the Internet for any reason that would violate the request that a teacher serve as a role model for students.

Any violation of any part of this agreement or any other activity which school administrators deem inappropriate will be subject to disciplinary action. Discipline could include but would not be limited to, the immediate suspension or termination of the teacher's Internet account and computer privileges, reprimand, suspension, or termination.

Section 5 - Use of School Facilities

Teachers will be issued keys to the school. Teachers are expected to not lose their keys and to not allow others to have access to or to use their keys. Teachers are permitted to have access to school facilities during non-school time provided such access is for work-related purposes. When teachers leave the building, they are to close all windows, lock their classroom door, and make sure that the entry door is fully closed and locked. This is especially important when teachers are using the school facilities prior to the beginning of the school year and during any weekend or evening usage.

School property is to be used for approved work-related purposes and not for personal purposes or for personal gain or benefit. Use of school supplies (paper, staples, etc.), school equipment (copiers, fax machines, telephones, etc.), and school postage is to be for approved school-related purposes only. Excess or surplus supplies or equipment, including items which have been placed in the trash, should not be removed for non-school use without approval from the administration.

Section 6 - Care of School Property

Employees are responsible for the proper care of all books, equipment, supplies and furniture supplied by the school. If an item is in need of maintenance or repair, report it to the Principal. If you learn that a student has damaged school property or equipment, or if you are responsible for damage to school property, promptly report it to the Principal so the item may be replaced or repaired if possible and appropriate responsibility for the cost of replacement or repair may be determined.

Section 7 - Use of Telephone

Personal telephone calls shall not be made during duty time except in the event of an emergency.

Section 8 - Visitors

Employees are not to have visitors while on duty other than as appropriate for the performance of their duties except on a short-term basis and only with permission of the Principal or supervisor. Included in the definition of visitors are family members of the employee. Employees are responsible for ensuring that their visitors follow procedures for being on District property, including checking in. Employees are not to bring their children to work with them in lieu of taking them to childcare.

Section 9 - Salespersons (Board Policy No. 4014)

No school employee shall visit with or discuss matters of a personal nature with any salesperson or representative or agent of any commercial enterprise or theatrical presentation during the hours the employee is in school, except by special permission of the Superintendent or building principal. By law, the hours of no solicitation are between 8:30 a.m. and 5:00 p.m. on all days school is in session. If you are required to be at work earlier than 8:30 a.m., the hours are extended to that earlier time as well.

Employees need not allow, and should not permit, any salesperson or representative or agent of any commercial enterprise or theatrical presentation to contact the employee while engaged in the employee's duties except for such times as may be designated by the Superintendent or designee.

Employees must not use classrooms, buildings or other school property for personal use or profit without specific approval from the Superintendent or designee. Employees must not use time for which the employee is on duty or paid by the District to engage in any activity for personal financial profit. Any violation of these restrictions will be considered to be willful insubordination.

Section 10 - Security of Desks and Lockers

Offices, desks, lockers, file cabinets and other such storage devices ("storage devices") are owned by the school and are to be properly cared for and maintained. Appropriate security measures should be used to protect school and personal property kept in storage devices from theft or vandalism and to protect confidential student records.

The District exercises exclusive control over school property and reserves the right to search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the

employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file. School-related documents or records must remain readily available to administration and other appropriate school staff. Any personal items an employee wants to have kept private should be kept in a separate personal storage device, such as a briefcase, purse or backpack.

The District is not responsible for any personal property employees may bring to school. Employees are cautioned not to bring large amounts of money or items of significant value to school.

Section 11 - Video Surveillance and Recording of Others (Board Policy No. 1102)

The Board of Education has authorized the use of video cameras on School District property to ensure the health, welfare and safety of all staff, students and visitors to District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent.

To ensure the privacy and confidentiality of student information, no person is authorized to record or transmit any sound or image of any person (including themselves) without the prior consent or authorization of either (1) the person or persons being recorded or whose image or sound is being transmitted, (2) by authorized staff for purposes of child welfare (for example, to record images of injuries to students caused or believed to be caused by another person), or (3) the Superintendent or Superintendent's designee. This prohibition applies to all persons, including staff, students and community members, regardless of the content or context of the image or sound; however, this provision shall not apply to District-sponsored athletic or activity events where the focus of the recording or transmission is on the student performances or activity. Nothing in this provision shall prohibit the recording of an Individualized Education Program meeting if the recording is necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed by the Individuals with Disabilities Education Act.

Section 12 - Bulletins and Announcements

Bulletin boards, display cases, electronic media (webpage) and other communication mediums/forums are available and maintained for the purposes of conveying information about the District's activities and programs and for educational purposes related to such activities and programs. The District's communication devices are designated as non-public forums, meaning that the devices are not open for public use. All displayed materials, regardless of communication forum, shall be for school-related informational purposes only and will need to be approved by the Principal's office. Posters are not to be attached to any painted wall surfaces. The person or organization responsible for distributing the posters is responsible to see that all posters are removed within 48 hours after the event.

Information posted or displayed on or in any District forum may not include political advertising, communications promoting particular religious beliefs, controversial topics or positions not consistent with the mission of the District, or communications that promote activities not suitable for school-age children.

Any website links on the District's webpage that are permitted to be posted shall not be considered to be endorsed or sponsored by the District. The District makes no representations or warranties of any kind with regard to any such links.

Section 13 - Copyright and Fair Use Policy

It is the school's policy to follow the federal copyright law. Teachers are reminded that, when using school equipment and when performing school duties, they also must follow the federal copyright laws. The federal copyright law governs the reproduction of works of authorship. Copyrighted works are protected regardless of the medium in which they are created or reproduced; thus, copyright extends to digital works and works transformed into a digital format. Copyrighted works are not limited to those that bear a copyright notice.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. The relevant portion of the copyright statute provides that the "fair use" of a copyrighted work, including reproduction "for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research" is not an infringement of copyright. The law lists the following factors as the ones to be evaluated in determining whether a particular use of a copyrighted work is a permitted "fair use," rather than an infringement of the copyright:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and
- the effect of the use upon the potential market for or value of the copyrighted work.

Although all of these factors will be considered, the last factor is the most important in determining whether a particular use is "fair." Teachers should seek assistance from administration if there are any questions regarding what may be copied.

Section 14 - Lost and Found

Employees who find lost articles are asked to take them to the office, where the articles can be claimed by the owner.

Section 15 - Safety

<u>Safety Program and Safety Committee</u>. The District has established safety committees and safety plans, including plans and procedures to address emergency and crisis situations. Employees are expected to be familiar with and to comply with these plans. These plans may be obtained for review or copy from the Principal or the Superintendent.

The District also has a safety committee to address employee accidents, injuries and workplace conditions. A representative from each bargaining group plus representatives appointed by administration serve on the committee. If you have a desire to serve on the committee, you should contact the President of the Teachers' Association. Teachers can make suggestions and/or report concerns to the Safety Committee in the following ways: (1) contact the Teachers Association representative of the Safety Committee, (2) contact the President of the Teachers Association, or (3) contact the Safety Committee in care of the Superintendent.

Safety Practices

Guidelines for safe work practices which teachers should follow include the following:

- 1. Never stand on chairs, counters, tables, etc. Only use step stools, ladders and locking stools to stand, climb, etc., to reach high places, put things on bulletin boards, etc.
- 2. Always wear protective equipment (i.e., goggles, aprons, gloves, and ear protection).
- 3. Wipe up spills or report promptly to appropriate personnel. DO NOT assume someone else will do it.
- 4. Be aware of your surroundings. Pick up clutter, keep your work area or room clean and free of clutter, debris, etc.
- 5. Identify and report all hazards (i.e., broken equipment, broken or uneven floor surfaces, non-operating tools, windows, doors, etc.). Follow up if not repaired.
- 6. Do not use equipment if you are not familiar with it or operate machinery without proper training.
- 7. Do not carry heavy or bulky objects. Get a cart, dolly or assistance. Know how to properly lift.
- 8. Report any injuries or medical problems to your supervisor immediately and complete the employee accident report.
- 9. Wear seatbelts when in vehicles where provided.
- 10. Do not do repetitive tasks for long periods of time (i.e., keyboarding, dipping cookies, cutting out things, filing, typing, etc.). Take breaks, learn and do stretching exercises, etc. Every accident in the school building, on the school grounds, at practice sessions, or at any athletic event sponsored by the school must be reported immediately to the Principal.

As required by law, approved safety glasses will be required of every student and employee while participating in or observing vocational, technical, industrial technology, science, and art classes. All visitors to these areas must check out a pair of safety glasses when entering any of these areas.

Safe Driving

Employees who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license and proof of insurance. Employees will be provided a Driver's Certification form to verify this information and to be given instruction on emergency evacuation and first aid.

Use of Personal Vehicles

Employees who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license and proof of insurance. Employees will be provided a Driver's Certification form to verify this information and to be given instruction on emergency evacuation and first aid. Employees who drive school vehicles or transport students in their personal vehicles are responsible for following safe driving practices, including use of seat belts by all occupants, and are responsible for any injury or accident. Teachers are not to use cell phones or any other device while driving a school vehicle or while transporting children.

<u>Accidents</u>

Every accident which results in a personal injury must be reported to the Superintendent immediately. In the event the injury involves a student, the employee responsible for the student either as teacher, coach or sponsor is responsible for making the report. If the injury occurs in the presence of the teacher, the teacher is also responsible for making a report.

Workers Compensation

Employees are required to immediately report any work-related injury and/or work-related medical condition to their supervisor and complete all appropriate paperwork.

Article 9 - State and Federal Programs

Section 1 - Notice of Nondiscrimination

The Kenesaw Public Schools does not discriminate on the basis of sex, disability, race (including skin color, hair texture, and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected category in admission or access to, or treatment of employment, in its programs and activities. The Coordinators listed in Section 2 have been designated to handle inquiries regarding complaints, grievance procedures or the application of these policies of nondiscrimination.

Local complaint or grievance procedures are provided for by the District and set forth in this handbook. If an employee does not feel that a complaint of nondiscrimination has been satisfactorily resolved at the school level, the employee may file a complaint with the appropriate federal or state agency. Complaints are to be filed with the regional Department of Education, Office for Civil Rights where the complaint relates to Title IX (discrimination, harassment or lack of equity based on gender), Title VI (discrimination or harassment based on race (including skin color, hair texture, and protective hairstyles), color, or national origin) or Section 504 (discrimination, harassment or failure to accommodate a disability). Complaints are to be filed with the regional U.S. Equal Employment Opportunity Commission (EEOC) if the complaint relates to Title VII (discrimination or harassment based on race (including skin color, hair texture, and protective hairstyles), color, gender, national origin, or religion), the Americans with Disabilities Act (discrimination, harassment or failure to accommodate a disability), or the Age Discrimination in Employment Act (discrimination based on age). The contact information for the OCR and the EEOC in this regard are:

Office for Civil Rights in the U.S. Department of Education (OCR)
One Petticoat Lane
1010 Walnut Street, 3rd Floor, Suite 320
Kansas City, Missouri 64106
(816) 268-0550; Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

The U.S. Equal Employment Opportunity Commission (EEOC) Gateway Tower II 400 State Avenue, Suite 905 Kansas City, KS 66101

(800) 669-4000; TTY: (800) 669-6820; Fax (913) 551-6957

A publication provided by the federal government concerning rights of non-discrimination is attached as Appendix "D" to this handbook.

Section 2 - Designation of Coordinators

Any person having inquiries concerning the District's compliance with anti-discrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies or programs. The contact address for the coordinator is: Kenesaw Public Schools, 110 North 5th Avenue, P.O. Box 129, Kenesaw, NE 68956, 402-752-3215.

Law, Policy or Program	Issue or Concern	Coordinator
Title VI	Discrimination or	Superintendent
	harassment based on race	
	(including skin color, hair	
	texture, and protective	
	hairstyles),color, or national	
	origin; harassment	
Title IX	Discrimination or	Heather Breight
	harassment based on sex;	
	gender equity	
Section 504 of the	Discrimination, harassment	Superintendent
Rehabilitation Act and the	or reasonable	
Americans with Disability	accommodations of persons	
Act (ADA)	with disabilities	
Homeless Student Laws	Children who are homeless	Superintendent
Safe and Drug Free Schools	Safe and drug free schools	Superintendent
and Communities		

Section 3 - Anti-Discrimination & Harassment Policy

Elimination of Discrimination

The Kenesaw Public Schools hereby gives this statement of compliance and intent to comply with all state and federal laws prohibiting discrimination or harassment and requiring accommodations. This school district intends to take necessary measures to assure compliance with such laws against any prohibited form of discrimination or harassment or which require accommodations.

Preventing Harassment and Discrimination

Kenesaw Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers, students or other persons is prohibited. In addition, the Kenesaw Public Schools will try to protect employees and students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture, and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status is prohibited. The following are general definitions of what might constitute prohibited harassment.

- In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture, and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected category constitute harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.
- 2. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- 3. Sexual harassment is defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the workplace, classroom or educational environment. Sexual harassment may exist when:
 - Submission to such conduct is either an explicit or implicit term and condition of employment or of participation and enjoyment of the school's programs and activities;
 - o Submission to or rejection of such conduct is used or threatened as a basis for employment related decisions, such as promotion, performance, evaluation, pay adjustment, discipline, work assignment, etc., or school program or activity decisions, such as admission, credits, grades, school assignments or playing time;
 - The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.
 - o Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

Complaint and Grievance Procedures

Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or classroom teacher. However, 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 is encouraged to go to the next level of supervision. In the case of a student, the Principal would be the next or alternative person to contact.

If the employee or student's complaint is not resolved to his or her satisfaction within five (5) to ten (10) calendar days, or if the discrimination or harassment continues, or if you feel you need immediate help for any reason, please report your complaint to the Superintendent of Kenesaw Public Schools. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.

The supervisor, teacher or the Superintendent will thoroughly investigate all complaints. These situations will be treated with the utmost confidence, consistent with resolution of the problem. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, and disciplinary action up to expulsion against a harassing student, may be taken. Under no circumstances will any threats or retaliation be permitted to be made against an employee or student for alleging in good faith a violation of this policy.

Section 4 - Grievance Procedure for Persons with a Disability

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act address discrimination, harassment or failure to provide reasonable accommodations to persons with a disability. The following grievance procedure shall be used for resolution of complaints of alleged violations of the ADA or Section 504:

- 1. Complaints shall be filed with the ADA and Section 504 Coordinator. Complaints shall be made in writing, unless the Complainant's disability prevents such, in which event the Complaint can be made verbally.
- 2. Complaints shall set forth: (a) the name of the Complainant, (b) the address and telephone number or other such information sufficient to enable the Coordinator to contact the Complainant, (c) a brief description of the alleged violation, and (d) the relief requested by the Complainant.
- 3. Complaints shall be investigated by the Coordinator or the Coordinator's designee. Investigations shall be thorough, but informal, and the Complainant shall be given a full opportunity to submit evidence relevant to the complaint.
- 4. The Coordinator shall make a decision on the Complaint within thirty (30) days of the filing of the Complaint, unless such time period is extended by agreement with the Complainant or a longer period is reasonably necessitated by the circumstances. The decision shall be made in writing, shall set forth the Coordinator's proposed resolution of the Complaint, and shall be forwarded to the Complainant.
- 5. The Complainant shall have ten (10) days from the date the Coordinator's decision is sent to the Complainant to accept or reject the Coordinator's proposed resolution. The Complainant shall be deemed to have accepted the proposed resolution unless the Complainant rejects the proposed resolution within such time period.
- 6. In the event the Complainant rejects the proposed resolution, the Complainant shall be given the opportunity to file a request for reconsideration within ten (10) days from the date the Coordinator's decision is sent to the Complainant. The request for reconsideration shall be filed with the Coordinator. Upon receipt of the request for reconsideration, the Coordinator shall promptly forward the request for reconsideration and all evidence received by the Coordinator in connection with the Complaint to a third person for review (either an administrator or other employee of the District, or members of the Board of Education or Committee of the Board).
- 7. A decision on the request for reconsideration shall be made within ten (10) days after the request for reconsideration was filed unless the Board or Committee of the Board is the reviewer, in which event the decision shall be made within thirty (30) days of the filing of the request for reconsideration, unless such time period is extended by agreement with the Complainant or a longer period is reasonably necessitated by the circumstances.

Section 5 - Confidentiality of Student Records (FERPA)

The Family Educational Rights and Privacy Act (FERPA) gives parents and students over 18 years of age rights of access and confidentiality with respect to education records. Employees are expected to provide access rights and maintain the confidentiality of education records in accordance with FERPA and Board policy. Further information about FERPA and the District's policies under FERPA are found in Board policy and in the student handbook.

Section 6 - Disclosure of Student Information to Military Recruiters and Colleges

Federal law requires the District to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and family members and secondary students have the right to request that the school not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters or institutions of higher education, without their prior written consent. Employees are expected to follow these requirements.

Section 7 - Disclosure of Staff Qualifications

At the beginning of each school year, upon the request of a parent, if the District receives Title I funding, the District will notify the parents of information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

- 1. Whether the student's teacher—
 - (i) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - (ii) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
 - (iii) is teaching in the field of discipline of the certification of the teacher.
- 2. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Section 8 - Student Privacy Protection (Board Policy No. 5419)

Federal law requires the District to protect the privacy of students. Further information about student privacy and the District's policies with regard to student privacy are found in Board policy and in the student handbook. In general, employees are expected to comply with these provisions of the ESSA and related Board policy, as follows:

- Student surveys created by and administered by either the United States
 Department of Education or a third party (a group or person other than the
 District)—give parent/guardian the opportunity to inspect the survey upon
 request before the survey is administered or distributed to the students;
- 2. Student surveys which involve "sensitive" matters—make suitable arrangements to protect student privacy (that is, do not include the name or other identifying information about a particular student) and give parents and family members the opportunity, in advance, to "opt-out" their child from the survey. Sensitive matters include:

- 1. Political affiliations or beliefs of the student or the student's parent;
- 2. Mental or psychological problems of the student or the student's parent;
- 3. Sex behavior or attitudes;
- 4. Illegal, anti-social, self-incriminating or demeaning behavior;
- 5. Critical appraisals of other individuals with whom the student has close family relationships;
- 6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- 7. Religious practices, affiliations, or beliefs of the students or the student's parent;
- 8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- 3. Instructional materials—permit parents and family members upon reasonable request to inspect any instructional material used as part of the educational curriculum for their child. The term "instructional materials" does not include academic tests or academic assessments for purposes of this parent inspection requirement. If you receive such a request, direct the parent to contact your building principal and also inform the building principal yourself about the request to get instructions.
- 4. Collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information—the District policy is to not gather such information for such purposes.

Mental Health Assessment or Service

The District shall obtain informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service that is funded under the Every Student Succeeds Act ("ESSA"). Before obtaining the consent, the District shall provide the parent written notice describing in detail such mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin, and how long such assessment or service may last.

Section 9 - Parental and Family Involvement

General - Parental/Community Involvement in Schools

The District's policy is to welcome parental and family involvement in the education of their children. As a part of this policy, employees are expected to:

- 1. provide parents and family members timely information about their child's progress, including use of quarterly report cards, active and constructive attendance at parent-teacher conferences, and more frequent parent contacts where warranted by the student's academic and behavioral needs;
- make textbooks, completed tests and other curriculum materials available for review by parents and family members upon request;
- 3. permit parents and family members access to their child's records according to law and school policy;
- 4. encourage parents and family members to attend courses, assemblies, counseling sessions and other instructional activities with prior approval of the proper teacher, counselor or administrator, provided that such parent attendance be educationally appropriate and not disruptive to the educational program;
- 5. assure that testing occurs to assure proper measurement of each child's educational progress and achievement;
- 6. permit parents and family members to excuse their child from testing, classroom instruction and other school experiences when possible and educationally appropriate;
- 7. notify parents and family members of student surveys in accordance with district policy, obtain parental permission for surveys where required by District policy or law, and allow parents and family members to opt-out of such surveys in accordance with District policy and law; and
- 8. encourage parents and family members to express their concerns, share their ideas and advocate for their child's education.

<u>Title I Parental and Family Engagement (Board Policy No. 6410)</u>

The written District Parent and Family Engagement Policy has been developed jointly with, updated periodically and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents describes the means for carrying out the requirements as listed below.

- Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.
- Parents are involved in the planning, review, evaluation and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.

- Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.
- Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.
- Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand.
- Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.
- Coordinate and integrate parental involvement programs and activities with other Federal, State and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

The District has a separate policy established pursuant to federal law relating to parental and family engagement applicable to parents and family members of children enrolled in Title I programs. The policy requires that parents and family members of Title I children have been given the opportunity to participate in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—(A) that parents and family members play an integral role in assisting their child's learning; (B) that parents and family members are encouraged to be actively involved in their child's education at school; (C) that parents and family members are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and (D) the carrying out of other activities, such as those described in the parental and family engagement policy. Employees are expected to comply with the Title I parental and family engagement policy.

Section 10 - Homeless Students (Board Policy No. 5418)

Federal law requires that homeless students not be stigmatized or segregated on the basis of their status as homeless. Homeless children generally include children who lack a fixed, regular, and adequate nighttime residence. The Superintendent serves as the District's designated Homeless Coordinator and should be contacted for questions relating to a homeless student.

Section 11 - Breakfast and Lunch Programs

The District participates in the National School Lunch Program. Employees are expected to keep information about the participation of students in the program confidential.

Section 12 - Confidentiality of Protected Health Information

It is the policy of the District to develop and implement all necessary practices, policies, and procedures to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) where and to the extent applicable and to maintain the privacy of protected health information (PHI), as that term is defined by HIPAA, that it receives, obtains, or transmits for employees and students. The District designates the Superintendent as its HIPAA privacy officer. Student and employee records containing PHI shall be accessible only to those who require such information to carry out their duties.

RECEIPT OF 2023 - 2024 COMBINED EMPLOYEE HANDBOOK OF KENESAW PUBLIC SCHOOLS

This signed receipt acknowledges receipt of the 2023 - 2024 Combined Employee Handbook of Kenesaw Public Schools. This receipt acknowledges that it is understood that I am to read and be familiar with the handbook, that I understand the handbook contains a disclaimer of contract and that I understand that the handbook includes the District's policies of non-discrimination and equity, and that specific complaint and grievance procedures exist in the handbook which should be used for responding to harassment or discrimination.

Date:
Employee's Printed Name
Employee's Signature
Return to:
Rick Masters, Superintendent Kenesaw Public Schools

110 North 5th Avenue

Kenesaw, NE 68956

P.O. Box 120

APPENDIX A - COBRA NOTICE

COBRA - Model General Notice.doc

APPENDIX B - FMLA NOTICE

FMLA - General Notice for Posting - REV 2-23-.pdf

APPENDIX C - EEOC NOTICE

Equal Employment Opportunity Poster w Genetic Testing - Nov 2022-.pdf

APPENDIX D - FAIR LABOR STANDARDS ACT

Fair Labor Standards--January 2009-.pdf

APPENDIX E - COVID-19 STAFF HANDBOOK SUPPLEMENT

COVID-19 Staff Handbook Supplement