

EMPLOYEE RELATIONS WITH VENDORS

Employees are prohibited from endorsing a product on behalf of the District. Employees are prohibited from making purchases on behalf of the District unless authorized by policy or board approval.

Employees are authorized to make purchasing recommendations in accordance with the district's requisition procedure. Employees making such recommendations shall not:

1. Indicate district preference to suppliers/contractors for any product or service.
2. Perform any work or service for remuneration for a supplier/contractor except as disclosures of conflict of interest are properly made.
3. Give preferential treatment to friends, relatives, or former district employees.
4. Disclose information about bids or confidential matters not approved for general release.
5. Take any other action in relation to suppliers and contractors that will impair an employee's ability to make purchasing decisions in the best interests of the District or that will give one supplier/contractor an unfair advantage over another.

The district's purchasing activity is designed solely to serve the school system. Purchases will not be made for individuals through the District or through the schools. All employees are required to adhere to state law and district policy prohibiting vendor gifts to school employees.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DEBC, Gifts to District Personnel
- HCAA, Purchasing Agent
- HCAA-AR, Requisitions & Purchase Orders

End of [Name of District] Policy DEBE.....Adopted:

[02/09]

UNAUTHORIZED PURCHASES

All purchases must be made in a manner consistent with policy (HCAA) and accompanying regulations and only with properly delegated authority. Purchases that are unauthorized shall become the financial responsibility of the purchaser. Purchases made in violation of the purchasing policy or rules may become the financial responsibility of the purchaser subject to an investigation of the alleged violation conducted by the [chief procurement officer] [Superintendent] or Board President when the alleged violation relates to the Business Manager or Superintendent. District employees may be subject to additional disciplinary consequences for making unauthorized purchases, including, but not limited to, revocation of purchasing authority.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- HCAA, Purchasing

End of [Name of District] Policy DEBJ Adopted:

[03/15]

RECOMMENDED

Descriptor Code: DEBC

GIFTS TO DISTRICT PERSONNEL

District employees shall not accept anything of value from individuals or companies attempting to sell/lease or selling/leasing equipment or materials to the District.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DEBE, Employee Relations with Vendors

End of [Name of District] Policy DEBC.....Adopted:

[12/08]

CONFLICT OF INTEREST

No employee of the District shall engage in or have a financial interest in any activity that directly or indirectly conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system. Outside activities that may conflict with the duties and responsibilities of employees include but are not limited to outside employment and/or college coursework where an employee's efficiency is impaired.

End of [Name of District] Policy DEBB.....Adopted:

[12/07]

RECOMMENDED

Descriptor Code: DKAB

SEPARATION OF AT-WILL EMPLOYEES¹

Whenever possible, support personnel are requested to give notice of intention to terminate employment two weeks prior to resignation. Written notice of resignation should be addressed to the Superintendent and presented to the employee's immediate supervisor.

The Superintendent is authorized to discharge ancillary employees.² The employee may be suspended during any investigation of which the employee is the subject. The Board shall be notified of any suspension and/or discharge.

The Superintendent may terminate at-will employees at any time, with or without cause.

End of Warwick Public School Policy DKBA..... Adopted:

[10/14]

¹ Do not adopt this policy if you issue contracts to classified staff.

² This is only one option. The Board can also designate itself as the body responsible for terminating the employment of classified staff.

EMPLOYEE SPEECH

For the purposes of this policy, *speech* includes statements made orally, in writing/print, electronically (e.g., online, through video, text message, etc.) and/or visual mediums (e.g., photographs, videos, etc.).

Speech Made as an Employee

Speech made as a school district employee is not constitutionally protected. The District requires that when staff are acting in their official capacity as school district employees, they shall use sound judgment when making statements pursuant to their official responsibilities and only to the extent that they possess accurate information. Speech made by staff in their official capacity as school district employees shall furthermore be in keeping with the district's mission statement.

Speech made pursuant to official district responsibilities that is knowingly false or inaccurate; made with reckless disregard for the truth; that violates the district's mission statement; that causes or leads to substantial disruption of the educational environment; poses a safety threat to district students, staff, or operations; violates district policies; or impedes on the school district's interest, including, but not limited to, delivery of public services, may be grounds for disciplinary action in accordance with law, district policy, and, if applicable, the negotiated agreement.

Speech Made as a Private Citizen

When school district employees make statements as a private citizen about matters of public concern, the District may take disciplinary action if such statements substantially disrupt the educational environment. Prior to taking disciplinary action, the District should document the manner in which the speech at issue disrupted the educational environment and **[may]** **[shall]** consult with legal counsel to determine if the speech is indeed a matter of public concern and meets the substantial disruption standard.

When school district employees make statements as a private citizen about matters that are not of public concern, the District may take disciplinary action for reasons such as, but not limited to, the speech substantially disrupts the educational environment; poses a safety threat to district students, staff, or operations; violates district policies on off-duty conduct; contains content unbecoming to a teacher; or impedes on the school district's interest, including, but not limited to, delivery of public services. Prior to taking disciplinary action, the District **[may]** **[shall]** consult with legal counsel to determine if the speech is unprotected (i.e., does not address a matter of public concern).

Other Provisions

In addition to the requirements established by this policy, the District has a policy on confidentiality that governs on- and off-duty speech of district employees. The District also prohibits use of district owned or created material such as, but not limited to, the district's logo or copy trademark without first obtaining the permission of the **[Superintendent]** **[Board]**. Failure to obtain such permission may result in disciplinary action in accordance with the district's copyright policy.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ABCA, Copyrighted Material & Intellectual Property

RECOMMENDED

Descriptor Code: DEBF

- DEBA, Confidentiality
- DEBD, Student-Staff Relations
- GBA, Academic Freedom
- KBA, Relations with the News Media

End of [Name of District] Policy DEBF Adopted:

[05/10]

STAFF-STUDENT RELATIONS (NON-FRATERNIZATION POLICY)

The Board requires employees, volunteers, and students to treat one another with respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students at all times, on and off school property.

Prohibited Behavior

Any behavior of a harassing or sexual nature towards students is strictly prohibited. Such behavior includes but is not limited to the following:

1. Insults, disparaging remarks/names, and/or sarcasm, used to force compliance with an employees or volunteer’s requirements or expectations.
2. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of federal education amendments.
3. Any activity that may lead to a sexual relationship such as dating, sending intimate correspondence, and/or engaging in sexualized dialogue.
4. Any sexual relationship between an employee or volunteer and a current student, regardless of his/her age, or a former student under the age of 18.
5. Any conduct by an employee or volunteer that would constitute a sexual offense as defined in state law.

Individuals aware of any of these prohibited behaviors are expected to report such action to a building administrator or the Superintendent.

All reported prohibited behavior shall be investigated. If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with law and/or reporting such activity to appropriate state licensing and law enforcement officials.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint

End of [Name of District] Policy DEBD.....Adopted:

[12/07]

CONFIDENTIALITY

Any person working for or providing services to the District has a responsibility to protect the privacy of students and their parents. This responsibility applies to time spent at school as well as away from school. Questions from the general public concerning students or staff should be referred to an administrator.

Federal Requirements

District employees and service providers must follow confidentiality requirements under the Family Education Rights and Privacy Act (FERPA), Pupil Protection and Rights Amendment (PPRA), Children’s Online Privacy Protection Act (COPPA), and the Individuals with Disabilities Education Act (IDEA).

Information Release

Information concerning students shall only be released in accordance with the district’s policy on student education records and privacy (FGA). Information concerning district employees, activities, and operations shall be released in accordance with the district’s policy on employee speech (DEBF).

Violations

Employees that violate this policy may be subject to disciplinary action up to and including dismissal in accordance with law **[and]**, district policy **[and the negotiated agreement]**.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DEBF, Employee Speech
- DI, Personnel Records
- FGA, Student Education Records and Privacy

End of [District Name] Policy DEBA..... Adopted:

See Negotiated agreement.

REDUCTION-IN-FORCE POLICY

The Board shall have the sole right to determine the necessity for and scope of a reduction in force for reasons including, but not limited to, lack of funds, uncertainty of funds, declining enrollment, or other reasons of necessity.

Teaching staff on leave for any purpose remain subject to the district's reduction-in-force policy.

Criteria

The Superintendent shall recommend teacher(s) for reduction in force in accordance with the following criteria:

1. Attrition, including retirements and resignations.
2. When attrition is not sufficient to alleviate the necessity for reduction in force, the Board shall retain teachers with the greatest adaptability to meet present and future district staffing and educational needs, both curricular and extracurricular.
3. When teachers within the same area of licensure are deemed to be of equal adaptability, the Board shall retain the teacher with superior academic and professional preparation beyond minimum licensure requirements in his/her teaching field.
4. When teachers are deemed to be of equal adaptability and have equal academic and professional preparation within their teaching fields, the Board shall retain the teacher who has taught in the District for the greater period of time.

If a reduction in force is necessary, only teachers directly impacted (e.g., those employed under a Title program) will be considered for reduction in force based on the criteria for RIF above.

Notices & Hearing

If a decision is made to reduce the teaching staff, any teacher affected thereby shall be given such notice and hearing as may be required by law.

[Recall Rights

Any teacher who is nonrenewed under the provisions of this policy may request and shall be given consideration for teaching vacancies for which said teacher is qualified and which occur within {# (12 recommended)} months after receipt of written notice of the nonrenewal decision. It shall be the sole responsibility of said teacher to provide the District with a current address. Any teacher who is offered re-employment hereunder and fails to accept the same within fifteen (15) days after it is offered shall be deemed to have rejected said offer and shall forfeit all future recall rights if an offer of equal employment is rejected.]

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DKA-E, Reduction in Force Rubric

End of [Name of District] Policy DKA..... Adopted: