

GAA Goals and Objectives (See BOA, CM, CMA and JA)

GAA

The goal of the personnel policies set forth in this policy section is to create the best possible educational climate for the students of the school district. To this end, these personnel policies are designed to prevent misunderstanding by the district's personnel of their duties, responsibilities, and privileges,

All employees shall follow all applicable board policies, rules, regulations, and supervisory directives.

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

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 12/13; 6/19

GAAA Equal Opportunity Employment and Nondiscrimination

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

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

Inquiries regarding compliance may be directed to Superintendent, 213 E. 9th, Alma, KS 785-765-3394 or to:

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

or

Kansas Human Rights Commission
900 SW Jackson, Suite 568-S
Topeka, KS 66612-1258
(785) 296-3206

or

United States Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, Missouri

Approved: May, 1994

Updated: November 1999, February 2016

GAAA-R Equal Opportunity Employment and Nondiscrimination

The district shall maintain a working environment free from discrimination insult, intimidation, or harassment due to race, color, religion, sex, age, national origin or disability.

Any incident of discrimination in any form shall promptly be reported to the immediate supervisor or other level of management for investigation by the compliance officer and corrective action.

Any employee who engages in discrimination shall be reprimanded and counseled to refrain from such conduct. Any employee who continues to engage in discriminatory conduct shall be disciplined.

Approved: May, 1994

Complaints of Discrimination

GAAB

(See GAAC, GAACA, JDDC, JGEC, JGECA, KN, and KNA)

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, and harassment due to race, color, national origin, religion, sex, age, genetic information, or disability.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, genetic information, or religion in the admission to, access to, treatment, or employment in the district's programs and activities is prohibited. (Approved. 213 E 9th Alma. KS 66401, tpitsch@usd329.com, and 785-765-3394) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964 (with the exception of discrimination on the basis of sex), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator at (Approved. 213 E 9th Alma. KS 66401, tpitsch@usd329.com, and 785-765-3394). More information may be obtained on discrimination on the basis of sex by contacting the Title IX Coordinator.

Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy KNA, and more information may be obtained on procedures for filing such a complaint by contacting the district compliance coordinator.

Unless otherwise provided in board policy, general complaints, those not alleging acts of discrimination, will be resolved using the district's general complaint procedures in policy KN.

Any employee who engages in discriminatory, harassing, or retaliatory conduct shall be subject to disciplinary action, up to and including termination.

Except as otherwise provided in this policy and board policies GAAC, JGEC, and KNA, any incident of discrimination in any form shall promptly be reported to an employee's immediate supervisor, the building principal, or the district compliance coordinator for investigation and corrective action by the building or district compliance officer. Complaints alleging discriminatory and/or harassing conduct on the part of the superintendent shall be addressed to the board of education.

Complaints of Discrimination

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Except as otherwise provided in board policy regarding complaints of discrimination on the basis of sex or regarding child nutrition programs, complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of such discrimination or harassment from a student, another employee, or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the principal shall contact the complainant to determine if the resolution of the matter remains acceptable.

If the matter is not resolved to the satisfaction of the individual in the meeting with the principal, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

Formal Complaint Procedures

- A formal complaint shall be filed in writing and contain the name and address of the person filing the complaint. The complaint shall briefly describe the alleged violation. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved through the informal procedures described herein, the building principal may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board may appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator, or another individual appointed by the board or the superintendent. The investigation shall be

informal but thorough. The complainant and the respondent will be afforded an opportunity to submit written or oral evidence relevant to the complaint and to provide names of potential witnesses who may have useful information.

- A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy shall be forwarded to the complainant and the respondent within 30 days after the filing of the complaint. If the investigator anticipates a determination will not be issued within 30 days after the filing of the complaint, the investigator shall provide written notification to the parties including an anticipated deadline for completion. In no event shall the issuance of the written determination be delayed longer than 10 days from the conclusion of the investigation.
 - o If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.
 - o If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and state law will be followed.
- Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

Formal Complaint Appeal

- The complainant or respondent may appeal the determination of the complaint.
- Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board or the superintendent, or by the board itself.
- The request to appeal the resolution shall be made within 20 days after the date of the written determination of the complaint at the lower level.
- The appeal officer shall review the evidence gathered by the investigator at the lower level and the investigator's report and shall afford the complainant and the respondent an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed.
- The appeal officer will issue a written determination of the complaint's validity on appeal and a description of its resolution within 30 days after the appeal is filed.

Complaints of Discrimination

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If it is determined at any level that discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Approved: 12/12/2022

KASB Recommendation-2/98; 8/98; 4/07; 6/09; 6/15; 6/19; 6/20; 7/20; 12/22

Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination. The Title IX Coordinator's responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedies are implemented.

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the

GAAC Sexual Harassment

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complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

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

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows:

- Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant's wishes as to supportive measures; and
- Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. "Supportive Measures" shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district's educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows:

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program

or activity of the district concerning which the formal complaint is filed.

- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

Formal Complaint Notice Requirements

Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

- Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
 - o the identities of the parties involved, if known;
 - o the conduct allegedly constituting sexual harassment; and
 - o the date and location of the alleged incident, if known.
- The district's investigation procedures, including any informal resolution process;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
- Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
- Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

- Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties;
- Provide an equal opportunity for the parties to present witnesses and **evidence**;
- Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
- Allow the parties to be accompanied with an advisor of the party's **choice**;
- Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate;
- Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made;
- Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes;
- Not have conflicts of interest or bias for or against complainants or respondent;

- Not make credibility determinations based on the individual's status as complainant, respondent, or witness.

Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator's consideration.

Decision-Maker's Determination

Upon receiving the investigator's report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker's written determination shall:

- Identify the allegations potentially constituting sexual harassment;
- Describe the procedural steps taken, including any notifications to the parties, site visits, methods used to gather evidence, and **interviews**;
- Include the findings of fact supporting the determination;

- Address any district policies and/or conduct rules which apply to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; and
- The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

The written determination may, but is not required to, recommend disciplinary sanctions and any remedies designed to preserve access to the educational program or activity that may be provided by the district to the complainant.

A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended with or without pay or terminated, procedures outlined in board

policy, the negotiated agreement (as applicable), and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires.

Appeals

The complainant or respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following base:

- Procedural irregularity that affected the outcomes;
- New evidence that was not reasonably available at the time that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the **outcome.**

The request to appeal shall be made in writing to the Title IX Coordinator within 10 days after the date of the written determination. Appeals shall be a review of the record by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

- Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination;
- Notify both parties in writing of the filing of an appeal and give them an opportunity to submit further evidence in writing;
- Not have a conflict of interest or bias for or against complainant or respondent and receive the required training;
- Issue a written decision and the rationale for the decision within 30 days after the appeal is filed;
- Describe the result of the appeal and the rationale for the result in the decision; and
- Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution **process;**
- The parties voluntarily and in writing consent to the informal resolution process; and
- The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may proceed with the formal complaint process.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits

retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or appeal.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

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

To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent.

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

A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility, shall be published in employee handbooks, and on the district's website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

Approved: 7/12/21

KASB Recommendation - 2/98; 8/98; 7/03; 6/04; 4/07; 6/15; 12/18; 06/20;
7/20; 6/21

GAACA Racial and Disability Harassment: Employees
(See GAF, JGECA and KN)

GAACA

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Racial and disability harassment will not be tolerated in the school district. Racial or disability harassment of employees or students of the district in any district education program or activity is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial and disability harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events.

It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violations of this policy by any employee shall result in disciplinary action, up to and including termination.

Harassment prohibited by this policy includes racially or disability-motivated conduct which:

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

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

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

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

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

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

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence.

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

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

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

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

A summary of this policy shall be posted in each district facility and shall be published in employee handbooks and on the district's website as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

GAACA Racial and Disability Harassment: Employees

GAACA-4

Approved: 7/12/21

KASB Recommendation - 8/98; 7/03; 4/07; 9/12; 6/15; 12/18; 6/21

GAAD Child Abuse (See JCAC and JGEC)

GAAD

Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Kansas Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith.

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

DCF or Law Enforcement Access to Students on School Premises

The building principal shall allow a student to be interviewed by OCF or law enforcement representatives on school premises to investigate suspected child abuse and shall act as appropriate to facilitate the agency's access to the child and to protect the student's interests during the process. State law grants the investigating agency the authority to determine whether a school employee may be present while the interview is being conducted, taking into account the child's best interests. If asked to sit in on the interview by the agency representative conducting it, the building principal or designee thereof shall oblige such request in order to provide comfort to the child throughout the process and to facilitate the investigation.

Cooperation Between School and Agencies

Principals shall work with DCF and law enforcement agencies to develop a plan of cooperation for investigating reports of suspected child

abuse or neglect. To the extent that safety is not compromised, law enforcement

GAAD Child Abuse

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officers investigating complaints of suspected child abuse or neglect on school property shall not be in uniform.

Reporting Procedure

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

If the building principal has been notified, the principal shall immediately notify the superintendent that the initial report to DCF has been made. If appropriate, the principal may confer with the school's social worker, guidance counselor or psychologist. At no time shall the principal or any other staff member prevent or interfere with the making of a suspected child abuse report.

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

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

State law provides that anyone making a report in good faith and without malice shall be immune from any civil liability that might otherwise be incurred or imposed.

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GAAD Child Abuse

GAAD-3

Annual Training

Annual training for all school employees on child abuse and neglect reporting requirements shall be provided, and documentation of the training shall be maintained,

Approved:

KASB Recommendation - 2/98; 4/07; 6/07; 11/10; 8/12; 10/12; 11/12; 7/20

GAAE Bullying by Staff (See EBC, GAAB, JDD, JDDC, and KGC)

The board of education prohibits bullying in any form by any student, staff member, or parent towards a student or a staff member on or while using school property, in a school vehicle or at a school-sponsored activity or event. For the purposes of this policy, the term "bullying" shall have the meaning ascribed to it in Kansas law.

The administration shall propose, and the board shall review and approve a plan to address bullying as prohibited herein. The plan shall include provisions for the training and education of staff members.

Staff members who bully others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or termination. If appropriate, staff members who violate the bullying prohibition shall be reported to local law enforcement.

Approved: September 2013, February 2016

GAF Staff-Student Relations

GAF

(See GAAC, GAACA JGEC, JGECA and KN)

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

Approved: 7/12/21

KASB Recommendation - 2/98; 7/03; 4/07; 6/07; 6/16; 6/21

Emergency Safety Interventions

GAAF

(See GAO, JRB, JQ, and KN)

The board of education is committed to limiting the use of Emergency Safety Intervention (“ESI”), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student's conduct necessitates the use of an emergency safety intervention as defined below. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

This policy shall be made available on the district website with links to the policy available on any individual school pages. In addition, this policy shall be included in at least one of the following: each school’s code of conduct, school safety plan, or student handbook. Notice of the online availability of this policy shall be provided to parents during enrollment each year.

Definitions

“Area of purposeful isolation” means any separate space, regardless of any other use of that space, other than an open hallway or similarly open environment.

“Campus police officer” means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-6146, and amendments thereto.

“Chemical Restraint” means the use of medication to control a student’s violent physical behavior or restrict a student’s freedom of movement.

“Emergency Safety Intervention” is the use of seclusion or physical restraint but does not include physical escort or the use of time-out.

“Incident” means each occurrence of the use of an emergency safety intervention.

“Law enforcement officer” and “police officer” mean a full-time or part-time salaried officer or employee of the state, a county, or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

“Legitimate law enforcement purpose” means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer’s appointing authority.

“Mechanical Restraint” means any device or object used to limit a student’s movement.

“Parent” means:

- a natural parent;
- an adoptive parent;
- a person acting as a parent as defined in K.S.A. 72-3122(d)(2), and amendments thereto;

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- a legal guardian;
- an education advocate for a student with an exceptionality;
- a foster parent, unless the student is a child with an exceptionality; or
- a student who has reached the age of majority or is an emancipated minor.

be given, sold or transmitted to any person or entity including but not limited to another school district, organization, company or corporation without written permission from KASB.

“Physical Escort” means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

“Physical Restraint” means bodily force used to substantially limit a student’s movement, except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance, or instruction shall not be deemed to be physical restraint.

“Purposefully isolate” when used regarding a student, means that school personnel are not meaningfully engaging with the student to provide instruction and any one of the following occurs:

1. Removal of the student from the learning environment by school personnel;
2. Separation of the student from all or most peers and adults in the learning environment by school personnel; or
3. Placement of the student within an area of purposeful isolation by school personnel.

“School resource officer” means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

“School security officer” means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located but is not a law enforcement officer or police officer.

“Seclusion” means placement of a student for any reason other than for in-school suspension, detention, or any other appropriate disciplinary measure in a location where both of the following conditions are met:

- School personnel purposefully isolate the student; and
- the student is prevented from leaving or has reason to believe, that the student will be prevented from leaving the area of purposeful isolation.

“Time-out” means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

Prohibited Types of Restraint

All staff members are prohibited from engaging in the following actions with all students:

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- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Using physical restraint that obstructs the student’s airway;
- Using physical restraint that impacts a student’s primary mode of communication;
- Using chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and
- Use of mechanical restraint, except:
 - Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed to issue the order for the device;

○ Any device used by a certified law enforcement officer to carry out law enforcement duties; or
be given, sold or transmitted to any person or entity including but not limited to another school district, organization, company or corporation without written permission from KASB.

- Seatbelts and other safety equipment when used to secure students during transportation.

Use of Emergency Safety Interventions

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to affect physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior prior to the use of any ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment, or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

ESI Restrictions

A student shall not be subjected to ESI if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ESI. The existence of such medical condition shall be indicated in a written statement from the student's licensed health care provider, a copy of which has been provided to the school and placed in the student's file.

Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why ESI would put the student in mental or physical danger, and any suggested alternatives to ESI. In spite of the provisions of this subsection, a student may be subjected to ESI if not subjecting the student to ESI would result in significant physical harm to the student or others.

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Use of Seclusion

When a student is placed in seclusion, a school employee shall see and hear the student at all times. The presence of another person in the area of purposeful isolation or observing the student from outside the area of purposeful isolation shall not create an exemption from otherwise reporting the incident as seclusion. When a student is placed in or otherwise directed to an area of purposeful isolation, the student shall have reason to believe that the student is prevented from leaving.

If the area of purposeful isolation is equipped with a locking door designed to prevent a student from leaving the area of purposeful isolation, the door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the area of purposeful isolation, or in case of emergency, such as fire or severe weather.

An area of purposeful isolation shall be a safe place with proportional and similar characteristics as those of rooms where students frequent. Such area shall be free of any condition that could be a danger to the student, well-ventilated, and sufficiently lighted.

Training

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on ESI. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than staff who do not work

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directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain written or electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.

Notification and Documentation

The principal or designee shall notify the parent the same day as an incident. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contacting the parent. A parent may designate a preferred method of contact to receive the same-day notification. Also, a parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

Documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day of the incident. Such written documentation shall include:

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- A. The events leading up to the incident;
- B. student behaviors that necessitated the ESI;
- C. steps taken to transition the student back into the educational setting;
- D. the date and time the incident occurred, the type of ESI used, the duration of the ESI, and the school personnel who used or supervised the ESI;
- E. space or an additional form for parents to provide feedback or comments to the school regarding the incident;
- F. a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future incidents; and
- G. email and phone information for the parent to contact the school to schedule the ESI meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the ESIs is the same.

The parent shall be provided the following information after the first and each subsequent incident during each school year:

- A copy of this policy which indicates when ESI can be used;
- a flyer on the parent's rights;
- information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and the complaint process of the state board of education; and
- information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas.

Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

Law Enforcement, School Resource, and Campus Security Officers

Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose. School security officers shall not be exempt from the requirements of this policy.

If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint, or mechanical restraint on a student, the school shall notify the parent the same day

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using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth above, regarding law enforcement use of an emergency safety intervention, or report to the state department of education any law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

Documentation of ESI Incidents

Except as specified above with regard to law enforcement or school resource officer use of emergency safety interventions, each building shall maintain documentation any time ESI is used with a student. The documentation shall include all of the following:

- Date and time of the ESI,
- Type of ESI,
- Length of time the ESI was used,
- School personnel who participated in or supervised the ESI,
- Whether the student had an individualized education program at the time of the incident,
- Whether the student had a section 504 plan at the time of the incident, and
- Whether the student had a behavior intervention plan at the time of the incident.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent or the superintendent's designee on at least a biannual basis. At least once per school year, each building principal or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.

Reporting Data

District administration shall report ESI data to the state department of education as required.

Parent Right to Meeting on ESI Use

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing, or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

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be given, sold or transmitted to any person or entity including but not limited to another school district, organization, company or corporation without written permission from KASB.

For a student with an IEP or a Section 504 plan, such student's IEP team or Section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan, or amend the behavior intervention plan if already in existence.

For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for a special education evaluation. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

For a student without an IEP or Section 504 plan, the school staff and the parent shall discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student's parent, a school administrator for the school the student attends, one of the student's teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such meeting.

The student who is the subject of such meetings shall be invited to attend the meeting at the discretion of the parent. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student if such student would benefit from such measures.

Local Dispute Resolution Process

If a parent believes that an emergency safety intervention has been used on the parent's child in violation of state law or board policy, the parent may file a complaint as specified below.

The board of education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the superintendent before filing a formal complaint with the board. Once an informal complaint is received, the administrator handling such complaint shall investigate such matter, as deemed appropriate by the administrator. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the board of education and provide a copy to the state department of education.

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If the issues are not resolved informally with the building principal and/or the superintendent, the parents may submit a formal written complaint to the board of education by providing a copy of the complaint to the clerk of the board and the superintendent within thirty (30) days after the parent is informed of the incident.

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigator shall be informed of the obligation to maintain confidentiality of student records and shall report the findings of fact and recommended corrective action, if any, to the board in executive session.

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the board clerk and superintendent. On or before the 30th day after receipt of the written complaint, the board shall adopt written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the board shall only be provided to the parents, the school, and the state department of education and shall be mailed to the parents and the state department within 30 days of the board's receipt of the formal complaint.

If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Approved: 6/23

KASB Recommendation – 6/13; 12/13; 6/15; 6/16; 6/18; 12/18; 6/23

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USO 329 EMERGENCY SAFETY INTERVENTION DOCUMENTATION

Date: _____

Dear: _____

The purpose of this letter is to inform you that on _____, at _____ (a.m./p.m.)
(date) (time)

the need for the use of an Emergency Safety Intervention was required for _____
(name of student)

K.A.R. 91-42-1(c) defines Emergency Safety Interventions (ES/) as "the use of seclusion or physical restraint when a student presents an immediate danger to self or others. Violent action that is destructive of properly may necessitate the use of an ES/." Whenever an ES/ is used, the parent(s)/guardian(s) must be informed within (2) school days.

Type of Emergency Safety Intervention Used: Seclusion ___ _ Restraint ___ _

Duration of Seclusion/Restraint: _____(minutes) Location: _____

Name of Staff Member: _____ Witnesses: _____

Description of Incident:

Please contact the building principal if you have any questions regarding this use of ES/.

(Signature of person completing report) (Date)

*Parent(s)/guardian(s) notified of this incident on _____ by _____
(Date) (Name of staff member)

*Original provided to Building Principal
*Copy provided to (Parents/Guardians, Administrative Office)

USO 329 ESI Acknowledgement Form

Kansas regulations now require that we provide all parents with notice of our written policies regarding Emergency Safety Interventions ("ESI"). Our district policy is available on our website at USD 329 and in our building and/or student handbooks. In addition, we will provide a copy of the policy at any time upon request.

Please select one of the following options:

D

I have been informed of the district's policy, and I do not want a copy of the policy.

D

I have been informed of the district's policy, and I do want a copy of the policy. By my signature below, I acknowledge that I have received a copy of the policy.

DATE

PARENT SIGNATURE

GAC Policies and Rules Development Involvement

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

Approved: May, 1994

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GACA

GACA Positions

Only those positions authorized by the board may be filled.

Approved: May, 1994

GACA-R Positions

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

Approved: May, 1994

GACB Job Descriptions (See CD and GACA)

GACB

The superintendent shall develop a job description for each category of employee. After board approval of any new or revised job descriptions, they will be deemed in effect, shall be filed with the clerk, and may be published in handbooks.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GACC Recruitment and Hiring

GACC

Recruitment

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

Hiring

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

Hiring sequence

- Conditional offer of employment is extended to the candidate in writing subject to revocation or, if provisional employment has already begun, termination of employment based upon unsatisfactory results of any reference and/or background checks performed;
- Written acceptance by the candidate is received;
- Contract or other appropriate document sent to the candidate and candidate's acceptance signified by a signed document returned to the superintendent; and
- Approval of the contract or other documents by the board.

Approved: 09/19

KASB Recommendation - 2/98; 6/00; 6/01; 4/07; 6/14; 6/19

GACCA Nepotism

GACCA

The superintendent shall make reasonable efforts to determine whether a candidate for employment is related to or residing with a board member or an administrator of the district. If a candidate is related to or residing with a board member or administrator, the superintendent will make this fact known to the board.

Except in an emergency or in the case the individual is deemed to be the most qualified candidate for the position by the board, the board will not employ anyone who is the father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law of any board member or who resides in the household of any board member.

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

Supervision Limitations

No employee shall directly supervise or be responsible for any portion of the evaluation of his or her father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law or an individual residing with the employee.

Approved: 09/19

KASB Recommendation k- 2/98; 6/07; 4/13; 6/19

GACD Employment Eligibility Verification (Form 1-9) (See GAK)

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

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

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

Approved: 10/08

GACE Assignment and Transfer

GACE

The board reserves the right to assign, reassign, or transfer all employees, unless otherwise provided in the negotiated agreement.

The board may delegate its authority to assign, reassign, or transfer any or all employees to the superintendent.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

USD 329 Mill Creek Valley

GAD

GAD Employee Development Opportunities

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

Approved: May, 1994

USD 329 Mill Creek Valley

GAD-R

GAD-R Employee Development Opportunities

All plans for self-improvement that involve the expenditure of district funds shall be approved in advance by the board.

Approved: May, 1994

GADA In-Service Education

The superintendent shall develop a program of in-service education for employees that promotes the continuous development, improvement and on-the-job performance of all personnel and submit the program to the board for approval prior to the adoption of the annual budget. When appropriate, the superintendent shall consult with the staff affected by the inservice.

Approved: May, 1994

USD 329 Mill Creek Valley

GADA-R

GADA-R In-Service Education

All affected employees shall attend in-service education sessions unless excused by the superintendent. Workshops, seminars and similar programs may utilize all or a portion of the work day.

Approved: May, 1994

GAE Complaints

GAE

Any employee may file a complaint with their supervisor concerning a school rule, regulation, policy or decision that affects the employee. The complaint shall be in writing, filed within ten (10) days following the event complained of, and shall specify the basis of the complaint. The supervisor shall meet with the employee and provide a written response within ten (10) days. If the employee disagrees with the decision, the employee may appeal to the superintendent. The superintendent's decision shall be final. Employees covered by the negotiated agreement shall follow procedures outlined in that document.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GAE-R Grievances

See "Compliance Procedure", found in BCBI-R-2 for complaint procedure. Bus drivers and cooks shall submit their complaints in writing first to their immediate supervisor and then follow the procedure as outlined.

Approved: May, 1994

GAF Staff-Student Relations

GAF

(See GAAC, GAACA JGEC, JGECA and KN)

Staff members shall maintain professional relationships with students which are conducive to an effective educational environment. Staff members shall not submit students to bullying, harassment, or discrimination prohibited by board policy. Staff members shall not have any interaction of a romantic and/or sexual nature with any student at any time regardless of the student's age or consent.

Approved:

KASB Recommendation - 2/98; 7/03; 4/07; 6/07; 6/16

GAG Conflict of Interest

GAG

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

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GAGA Nepotism

The superintendent shall make every reasonable effort to determine whether candidates for employment in the district are related to a board member. If a candidate for employment is related to a board member, the superintendent will make this fact known to the board before any recommendation is made to fill a vacancy. The superintendent shall make a reasonable effort not to place relatives in the same attendance facility.

Approved: May, 1994

GAH Staff-Community Relations

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

Participation in Community Activities

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

Participation in Community Activities

Prior permission must be obtained from the superintendent for participation in any non-school community activity which takes place during school time, during which time the employee will be absent from their job.

Approved: May, 1994 .

Holding Public Office

Staff members elected or appointed to a public office which restricts the employee's ability to complete contractual obligations may be required to take unpaid leave for a period of time determined by the board or may be terminated.

Staff members holding a public office, which in the judgment of the board is less than full-time, shall request unpaid leave from the superintendent at least one week in advance.

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

Political Activity in the Schools

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

For the purposes of this policy, "advocacy of any political issue" shall not be deemed to include providing information on educational matters to elected officials.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/15; 6/19

GAI Solicitations

Persons seeking to sell, solicit or display on school premises any item requiring the expenditure of district funds must first secure permission from the building principal or superintendent. Appointments with district staff during duty hours shall be held at a time approved by the appropriate supervisor. If a vendor violates this policy, the vendor may be suspended from making appointments with and soliciting school employees. Notices of the suspension shall be provided to district administrative personnel, the vendor's supervisor and the board.

Approved: May, 1994

GAJ Gifts (See JL, KH)

Gifts by Staff Members

Staff members shall not give gifts to any student or class of students when the gifts arise out of a school situation, class or school-sponsored activity unless approved by the principal.

Gifts to Staff Members

Staff members are prohibited from receiving gifts from vendors, salesmen or other such representatives.

Gifts to Staff Members

If an employee of the district is found to have accepted a gift from any person as outlined in this policy, the employees may be subject to disciplinary action.

The superintendent shall be responsible for the administration of this policy.

Approved: May, 1994

GAK Personnel Records (See CE!, CG!, GACD, GB!, and GCI) GAK

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

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

Requests for References

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

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

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

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GAK Personnel Records

GAK-2

Immunity Provided

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

Prohibition on Aiding and Abetting Sexual Abuse

Pursuant to the federal Every Student Succeeds Act. the board prohibits the board. individual board members. and any individual or entity who is a district employee, contractor, or agent from assisting a district employee, contractor, or agent in obtaining a new job if the board. individual. or entity knows. or has probable cause to believe. that such school employee. contractor. or agent engaged in sexual misconduct regarding a minor or student in violation of the law. For the purposes of this policy. it shall not be deemed assisting in obtaining a new job if the aforementioned individuals or entities participate in the routine transmission of administrative and personnel files in accordance with law and this policy.

Approved:

KASB Recommendation - 7/02; 4/07· 12/16

USD 329 Mill Creek Valley

GAL

GAL Salary Deductions

Only those salary deductions authorized by law, approved by the board, or by the negotiated agreement shall be permitted.

Approved: May, 1994

GAL-R Salary Deductions

The superintendent shall develop forms to supply the necessary information needed to make approved salary deductions. All requests for salary deductions shall be submitted to the superintendent during enrollment periods established by the board.

Approved: May,1994

USD 329 Mill Creek Valley

GAM

GAM Personal Appearance

The board advocates appropriate dress for all district employees.

Approved: May, 1994

GAN Travel Expenses

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

Authorization for reimbursement of travel expenses shall be considered in advance by the superintendent. Mode of travel will be based on, but not limited to, the availability of transportation, distance and number of persons traveling together. A first class air fare will be reimbursed only when coach space was not available.

Requests for reimbursement shall have the following attached: receipts for transportation, parking, hotels or motels, meals and other expenses for which receipts are ordinarily available. For the authorized use of a personal car, including approved travel between buildings, staff members shall be reimbursed at a mileage rate established by the board.

Approved: May, 1994

GANA Expense Reimbursement and Credit Cards (See CEF and GAN)

Non-administrative staff use of a district credit card, if authorized by the staff member's immediate supervisor, shall be confined to necessary school business and shall be subject to any guidelines for such use established by the board or district administration. Unless otherwise specified in guidelines established pursuant to this policy, staff members shall retain any receipt(s) for district credit card expenditure(s) and shall provide them to the staff member's immediate supervisor as soon as practicable following the expenditure.

The superintendent may designate administrative and other staff members to whom a district credit card will be issued. The board shall annually prescribe limits and restrictions on the use of district credit cards and shall monitor monthly receipts and reimbursement expenses. In no case will credit card expenditures in excess of \$500 in one year be authorized for any non-administrative staff member without the prior approval of the superintendent.

All rewards points or cash back payments earned using district credit cards are district property and shall be either applied to future district credit card purchases or remitted to the district treasurer for accounting and deposit.

Accountings of district credit card use shall be provided to the board for review on a monthly basis, and a record of district credit card usage shall be maintained. Expenses for district travel in personal vehicles or extended travel incurred in the performance of official duties shall be reimbursed in accordance with the provisions of GAN.

Approved: September 2013; August 2015

USD 329 Mill Creek Valley

GAO

GAO Maintaining Proper Control (See JGFB and GAAF)

Each employee is responsible for maintaining proper control in the school. Unless otherwise specified in board policy, an employee may use reasonable force necessary to ward off an attack, to protect a students or another person, or to quell a disturbance which threatens physical injury to others.

Approved: March 1998, March 2014

GAO-R Staff Protection

Personal Injury Benefits

Whenever an employee is absent from school because of personal injury resulting from an assault on school property or at a school-sponsored event, the employee will be paid full salary less the amount of any worker's compensation or district disability insurance received until the employee returns to work or the termination of the employment contract. No part of the absence shall be chargeable to annual sick leave except as provided for in the negotiated agreement.

The board shall have the right to have the employee examined by a physician designated by the board for the purpose of establishing the length of time the employee may be absent, and the board shall base its decision on the physician's professional opinion.

Approved: May, 1994

Drug-Free Workplace

GAOA

(See LDD)

Maintaining a drug-free workplace is important in establishing an appropriate learning environment for the students of the district. The unlawful manufacture, distribution, sale, dispensation, possession, or use of a controlled substance is prohibited at school, on or in school district property; and at school sponsored activities, programs, and events. Possession and/or use of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was obtained directly, or pursuant to a valid prescription or order issued thereto, from a person licensed by the state to dispense, prescribe, or administer controlled substances and any use is in accordance with label directions.

Alternative I

As a condition of employment in the district, employees shall abide by the terms of this policy.

Employees shall not unlawfully manufacture, distribute, dispense, possess, and/or use controlled substances in the workplace.

Any employee who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the superintendent of the conviction within five days after the conviction. The superintendent shall then ensure that notice of such conviction is given to any granting agency within 10 days of receiving notice thereof.

Within 30 days after the notice of conviction is received, the school district will take appropriate action with the employee. Such action may include, suspension, placement on probationary status, or other disciplinary action including termination. Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program. Each employee in the district shall be given a copy of this policy.

This policy is intended to implement the requirements of the federal regulations promulgated under the Drug-Free Workplace Act of 1988. It is not intended to supplant or otherwise diminish disciplinary actions which may be taken under board policies or the negotiated agreement.

Alternative II

As a condition of employment in the _____ program, which is wholly or partially funded with federal grant monies, employees in the program shall abide by the terms of this policy.

Employees in the _____ program shall not unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace.

Drug-Free Workplace

GAOA-2

Any employee in the _____ program who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the superintendent of the conviction within five days after the conviction.

The superintendent shall then ensure that notice of such conviction is given to any granting agency within 10 days of receiving notice thereof.

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Within 30 days after the notice of conviction is received, the school district will take appropriate action with the employee. Such action may include the initiation of termination proceedings, suspension, placement on probationary status, or other disciplinary action. Alternatively, or in addition to any other action short of termination, the employee may be required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program.

Each employee in the _____ shall be given a copy of this policy.

This policy is intended to implement the requirements of the federal regulations promulgated under the Drug-Free Workplace Act of 1988. It is not intended to supplant or otherwise diminish disciplinary actions which may be taken under board policies or the negotiated agreement.

Approved: 6/23

KASB Recommendation - 9/97; 2/98; 4/07; 6/12; 12/13; 6/23

GAOB Drug-Free Schools (See JDDA and LDD)

The possession, use, sale, distribution, or being under the influence of controlled substances and/or alcohol by school employees at school; on, in, or while utilizing school property; or at school sponsored activities, programs, or events is prohibited.

Employee Conduct

As a condition of continued employment in the district, all employees shall abide by the terms of this policy. Employees shall not unlawfully manufacture, distribute, dispense, possess, use, and/or be under the influence of illicit drugs, controlled substances, and/or alcoholic beverages at school; on, in, or while utilizing school property; or at school sponsored activities, programs, or events.

Possession, use, and/or being under the influence of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was:

1. Obtained directly from, or pursuant to a valid prescription or order, issued to such employee from a person licensed by the state to dispense, prescribe, or administer controlled substances; and
2. Used, if at all, in accordance with label directions.

Compliance with the terms of this policy is mandatory. Employees who are found violating the terms of this policy shall be reported to the appropriate law enforcement officers. Additionally, an employee who violates the terms of this policy shall be subject to the following sanctions:

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

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

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

Employees are responsible for contacting the directors of the programs to determine the cost and length of the program, and for enrolling in the programs. If participation in such a program is required as

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a condition of continued employment, copies of any documentation related to enrollment in and attendance in such program shall be made available to the board and/or administration upon request.

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

Approved: October 2008; March 2014

GAOC Tobacco-Free School Grounds for Staff
(See JCDA and KMA)

GAOC

The use, possession, or promotion of any tobacco product by staff members is prohibited at all times in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned or operated property.

The following definitions apply to this policy.

"Tobacco product" means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, electronic nicotine delivery system (hereafter "ENDS"), cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, charging devices, cartridges, and any substance used in ENDS, whether or not they contain nicotine. This definition does not include FDA-approved nicotine replacement therapies including transdermal nicotine patches, nicotine gum, and nicotine lozenges prescribed to the employee by a medical practitioner or obtained over the counter and used in accordance with label requirements.

"Electronic nicotine deliver system" or "(ENDS)" means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridges or other chemical delivery systems. Such definition shall include, but may not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer. ENDS are not FDA-approved nicotine replacement therapy devices.

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given, sold or transmitted to any person or entity including but not limited to another school district, organization, company or corporation without written permission from KASB.

GAOC Tobacco-Free School Grounds for Staff

GAOC-2

"Promotion" includes, but is not limited to, product advertising via branded gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.

Approved:

KASB Recommendation - 2/98; 4/07; 6/13; 6/16; 12/18; 7/20

GAOD Weapons

An employee of the district shall not knowingly possess, handle, or transmit any firearm or destructive device on the school grounds or off the school grounds at a school activity, function, or event.

Possession, handling or use of any such weapon shall result in immediate termination from employment, except that the superintendent may recommend that this termination be modified on a case-by-case basis under the provisions of GBG (Probation) or GBK (Suspension).

As used in this policy, the term "firearm" means any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or silencer. An exception to this definition is a starter gun which is used by a PE teacher or coach as part of a class or coaching activity.

As used in this policy, the term "destructive device" means any explosive, incendiary or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other device similar to any of these devices. An exception to this definition is a Science teacher who uses a rocket as part of a Science project.

Approved: November, 1994

The district will participate in workers compensation as required by current statute. The combined workers compensation benefits and salary received under allowed paid leave shall not exceed one full day's pay.

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

An injured employee must notify the designated employer's workers compensation coordinator or, if the coordinator is unavailable, his or her supervisor within 20 days of the injury or within 20 days of repetitive trauma in order to be eligible for benefits.

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

Any employee who is off work and receiving workers compensation benefits shall be required to provide the designated workers compensation

coordinator with a written doctor's release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under paid leave shall terminate, and those benefits under workers compensation shall be restricted as provided by current statute.

Whenever an employee is absent from work and is receiving workers compensation benefits due to a work-related injury or is receiving district paid disability insurance, the employee may use available paid leave to supplement the workers compensation or district paid disability insurance payments. Workers compensation benefits and FMLA benefits provided in a board approved plan shall run concurrently if both are applicable.

In no event shall the employee be entitled to a combination of workers compensation benefits, district paid disability insurance, and salary in excess of his/her full salary. Available paid leave may be used for this purpose until 1) available paid leave benefits are exhausted; 2) the employee returns to work; 3) the employee is released by the medical provider and a position is offered by the employer, but the employee declines to return to work; or 4) employment is terminated. Paid leave shall be calculated on a prorata amount equal to the percentage of salary paid by the district.

Testing

The board, through its designated workers compensation coordinator, may require employees who claim or are involved in an accident in the course of employment to submit to a post-injury chemical test. This includes instances where the district administration or workers compensation coordinator has

actual knowledge of an accident whether the employee has or has not requested medical treatment. If an employee refuses to submit to an employer requested post-injury chemical test, the employee forfeits all related workers compensation benefits as provided in K.S.A. 44-501(b)(1)(E). Chemical test collection, labeling, and performance shall meet the requirements found in K.S.A. 44-501(b)(3).

Choice of Physician

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury while performing their job. However, if the injured employee chooses to go to a medical provider other than the designated provider, the recovery for such expenses shall be limited to \$500.00,

Approved: 09/19

KASB Recommendation- 7/96; 2/98; 7/02; 4/07; 6/09; 12/14; 6/15; 6/19

GAOF Salary Deductions (See GAL)

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

The superintendent shall develop forms to provide information needed to make approved salary deductions. All requests for salary deductions shall be submitted to the superintendent during enrollment periods established by the board.

Approved: September 2013

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GAQ

GAQ Retirement (See GBN)

Employees are requested to notify the board of an intent to retire.

Approved: May, 1994

GAR Communicable Diseases

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

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

The employee shall be allowed to return to duty upon termination of the illness, when authorized by the employee's physician or by the health assessment team.

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

Approved: May, 1994

GAR-R Communicable Diseases

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

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

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

AIDS

In each case involving an employee with AIDS, the board shall reserve the right to make a final decision regarding the employment status of the employee after taking into account the recommendations of the health assessment team, the risks and benefits to both the employee and to others in the proposed work setting.

No information regarding employees with communicable diseases shall be released by district personnel without the Employee's consent except to comply with state or federal statutes.

Guidelines for Dealing With Employees Infected With

HIV in the District Schools

- A. The district establishes the following guidelines for dealing with the problems presented by school employees who have or could transmit HIV to other school employees or students.
The guidelines will be reviewed periodically and revised as necessary to reflect new medical information regarding HIV.
- B. Based upon the present knowledge that HIV is primarily transmitted by blood or sexual contact, and that casual person-to-person contact as would occur among school employees appears to pose no risk, individuals known to be infected with HIV virus should not be restricted from the work setting unless otherwise medically indicated. Those individuals include the following: school personnel with positive antibodies to the HIV virus; school personnel who have illness due to the virus but do not meet the HIV CASE definition; and school personnel with HIV.

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Case Review

The determination of the appropriate educational setting for HIV infected individuals should be done on a case-by-case basis by a Review Board and should be weighed against the risk and benefits to both the infected individual and to others who will share the same setting. The school nurse or county health nurse will serve as Chairperson of the Review Board and is the contact source for all referred cases.

The Review Board may consist of, but not necessarily limited to, the employee's physician, school officials including the superintendent of schools, building principal, office secretary to keep a written record of the proceedings, the employee and/or a representative of the employee and the county health officer. The school attorney may assist the Review Board as an observer and advise the board on legal questions.

Dealing With School Employees With HIV

- A. The Review Board may need to develop additional procedures to periodically assess the employee's condition to assist in determining the employee's status to work. Establishment of a plan for periodic review of the employee's status shall be established, by the Review Board at the initial meeting.
- B. Before HIV infected individuals may work in the district, they shall be required to participate in a conference with appropriate school personnel for the purpose of determining reasonable expectations regarding the individual's responsibilities in the work setting. Written recommendations are to be developed from the conference.

Confidentiality

To the extent possible, knowledge of the employee's condition shall be retained within the Review Board members. In some situations it may be necessary that other personnel also be advised. This will be determined by the superintendent.

Policy Review

When new medical information becomes available with regard to HIV, these recommendations may be updated or changed as needed.

Approved: May, 1994

GARA Bloodborne Pathogen Exposure Control Plan

The board shall adopt an exposure control plan. The plan shall be accessible to all employees and shall be reviewed and updated at least annually. All staff shall receive the training necessary to implement the plan.

Approved: May 1994; March 2015

EXPOSURE CONTROL PLAN
FOR BLOODBORNE PATHOGENS IN
U.S.D. NO. 329, MILL CREEK VALLEY

INTRODUCTION

In late 1991 the Occupational Safety and Health Administration issued safety standard regulations for the handling of bloodborne pathogens by entities subject to its control. Although public entities in the State of Kansas are not subject to OSHA, state statutes give the Kansas Department of Human Resources the authority to inspect public entities, such as school districts, for safety. In the spring of 1992, KOHR announced that it would apply the OSHA standard for bloodborne pathogens to public entities in the State of Kansas. This Exposure Control Plan will be implemented in U.S.D. No. 329 to achieve compliance with the state directive.

EXPOSURE DETERMINATION

For purposes of this plan "occupational exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral (piercing mucous membranes or the skin barrier through human bites, cuts, abrasions, etc.) contact with blood or other potentially infectious materials (OPIMs) that may result from the performance of the employee's duties. OPIMs include **body fluids such as semen, vaginal secretions, respiratory discharge, tears, vomitus, urine, feces,** saliva in dental procedures, etc. For purposes of this plan, employees of the district, by job classifications have been divided into three categories:

Category I

All employees in the following job classifications at U.S. D. No. 329 have occupational exposure.

Custodians
Athletic Coaches
Building Secretaries

Category II

Some employees in the following job classifications in U.S.D. No. 329 may have an occasional occupational exposure:

Teachers
Teacher Aides
Building Principals
Bus Drivers
School Secretaries

Category III

Some employees in U.S.D. No. 329 are unlikely to have occupational exposure. These job classifications include:

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Central Office Secretaries
Cooks
Superintendent
Counselors

The following is a list of tasks and procedures or groups of closely related tasks and procedures in the school district in which occupational exposure occurs or is likely to occur, and by which employees in which job classifications such tasks are performed.

TASK OR PROCEDURE	JOB CLASSIFICATION
Cleaning and bandaging scrapes, cuts or abrasions	Building Secretaries, Teachers, Teacher Aides, Building Principals, Bus Drivers
Cleaning vomitus from the floor	Custodians

IMPLEMENTATION SCHEDULE AND METHODOLOGY

METHODS OF COMPLIANCE

"Universal Precautions" is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV) or Hepatitis B Virus (HBV). Universal Precautions shall be observed in U.S.D. No. 329 to prevent contact with blood and OPIMs.

ENGINEERING AND WORK PRACTICE CONTROLS

Engineering and work practice controls will be used to eliminate or minimize all employee exposure. Where exposure potential remains personal protective equipment shall also be used.

ENGINEERING CONTROLS

Engineering controls are controls which isolate or remove the bloodborne pathogen hazard from the work place. The following engineering controls will be used in the district:

The district will maintain appropriate receptacles for the deposit of contaminated clothing, protective clothing, and other articles.

Engineering controls will be examined, maintained or replaced on a regularly scheduled basis.

CONTROL	INSPECTED BY	TIMELINE
Receptacles	Custodian	Daily

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WORK PRACTICE CONTROLS

Work practice controls are those controls that reduce the likelihood of an exposure by altering the manner in which the task is performed.

The following work practice controls apply to U.S.D. No. 329:

Procedures involving blood or OP!Ms will be performed in a manner to minimize splashing, spraying, or spattering.

Mouth suctioning of blood or OP!Ms is prohibited.

Specimens of blood or OP!Ms should not be brought to or taken in the school. If specimens of blood or OP!Ms are present in the school they should be in leak proof containers, appropriately labeled, and closed prior to storing or transporting.

Equipment which may become contaminated with blood or OP!Ms shall be decontaminated, or appropriately labeled, as soon as is feasible after the contamination occurs. Affected employees will be informed of the contamination of the equipment prior to any handling, servicing or shipping of the equipment.

HAND WASHING FACILITIES

Hand washing facilities are provided for all students and employees of the district. Because washing one's hands with soap and running water is one of the most effective ways to prevent the spread of disease through blood or OP!Ms, employees shall wash their hand with soap and water whenever exposure occurs. Although hand washing may be advisable in other situations, employees must thoroughly wash their hands, or any other exposed or contaminated skin with soap and water in these situation:

1. Immediately after the removal of gloves or other personal protective equipment.
2. Following contact of hands or other skin with blood or OP!Ms.

In some situations, such as on athletic facilities or field trips, hand washing facilities may not be available. In this case, the person in charge of the event shall ensure that antiseptic towelettes are available for use. Antiseptic towelettes which may be used for this purpose are stored in every building office and may be obtained through the building secretary. Whenever an employee uses an antiseptic towelettes, the employee shall thoroughly wash his or her hands with soap and water as soon as it is feasible to get to a hand washing facility.

PERSONAL PROTECTNE EQUIPMENT

It shall be the responsibility of each building principal to ensure that appropriate personal protective equipment is available and readily accessible for each employee's use at no cost to the employee. The principal shall also ensure that all employees use personal protective equipment when there is occupational exposure. In the event that an employee, exercising his or her personal judgment, fails to use protective equipment, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent future occurrences.

It shall be the responsibility of any employee who uses personal protective equipment to place

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the equipment in the appropriately designated receptacle for storage, washing, decontamination or disposal after its use. These receptacles are located in each building office. The school district shall be responsible for storing, cleaning, laundering, decontaminating, repairing, replacing or disposing of such equipment.

All personal protective equipment which is penetrated by blood or OP!Ms should be removed as soon as is feasible and placed in the appropriate receptacle.

Personal protective equipment is stored in each building office. The equipment may be checked out or obtained for use by contacting the building secretary. The following personal protective equipment is available in the district for use by its employees:

Gloves: Gloves shall be worn by any employee when it is reasonably anticipated that there will be hand contact with blood, OP!Ms, mucous membranes or non-intact skin. Gloves shall also be worn when handling or touching contaminated items or surfaces.

Disposable (single use) gloves are available for employee use in situations where such use is warranted or directed. These gloves should be deposited by the employee in the appropriate container for disposal immediately following their use. Hand washing after removing the gloves is required.

Masks, eye protection, and face shields: This type of protective equipment shall be worn whenever splashes, spray, splatter or droplets of blood or OP!Ms may be generated and eye, nose or mouth contamination can be reasonably anticipated.

HOUSEKEEPING

It shall be the responsibility of each building custodian to see that each work site and building in the district is maintained in a clean and sanitary condition.

All equipment and environmental and working surfaces shall be cleaned and decontaminated with an appropriate disinfectant as soon as feasible after contact with blood or OP!Ms.

Protective coverings used to cover equipment and environmental surfaces shall be removed and decontaminated or replaced as soon as feasible when they become overly contaminated.

All bins, pails, cans, and waste paper baskets shall be inspected, cleaned, and decontaminated on a regularly scheduled basis, or as soon as feasible upon visible contamination.

Broken glassware shall not be picked up by hand, but by using a broom and dustpan, tongs, vacuum cleaner or other mechanical means.

The following cleaning schedule and method of decontamination will be implemented in the district:

AREA	SCHEDULED CLEANING	METHOD
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Each work site will be cleaned on a daily basis.

Dr. Diana Katt has volunteered to have all contaminated and regulated waste to be disposed at her office. From there it will be disposed in compliance with state and federal regulations.

LAUNDRY

The school district will use Universal Precautions with all soiled or contaminated laundry. Any contaminated items which can be laundered will be bagged at the site of the contamination and handled as little as possible. If the items are wet, leak proof bags or containers shall be used. Such items shall not be sorted or rinsed at the site of the contamination. The bags shall be deposited in the appropriately labeled receptacle in the building.

Any employee who comes into contact with contaminated items or laundry shall wear gloves and other protective equipment as deemed necessary or appropriate.

HEPATITIS B VACCINATION

The School District will make the Hepatitis B vaccine and vaccination series available to any employee of the district who has occupational exposure and falls within Category I of the exposure determination. In light of the OSHA directive in early July 1992, indicating that persons who render first aid only as a collateral duty, responding solely to injuries resulting from work place incidents, generally at the location where the injury occurred may be offered post-exposure vaccination rather than pre-exposure vaccination, the district will make the Hepatitis B vaccine and vaccination series available to employees in categories II and III within 24 hours of possible exposure to HBV.

The Hepatitis B vaccination and any medical evaluation required before the vaccine can be administered will be provided to the employee at no cost. The vaccine will be offered after the employee has received training on bloodborne pathogens and within 10 working days of an employee's initial assignment to work involving the potential for occupational exposure, unless the employee has previously been vaccinated, antibody testing has revealed that the employee **is immune, or the vaccine is contradicted for medical reasons.**

Employees who decline the Hepatitis B vaccine will sign a waiver form as required by Appendix A of the OSHA standard. Each building principal shall be responsible for assuring that the vaccine is offered, and that the necessary waive is signed and appropriately filed for any employee who declines to accept the Hepatitis B vaccination which was offered.

The Wabaunsee County Health Department will administer the vaccine to employees of the district. If unavailable, the staff at the Wamego Hospital will administer the shots.

REPORTING PROCEDURES FOR FIRST AID INCIDENTS

Whenever an employee in category II or III is involved in a first aid incident which results in potential exposure, the employee shall report the incident to each building principal before the end of the work shift during which the incident occurred. The employee must provide the building principal with the names of all first aid providers involved in the incident, a description of the circumstances of the accident, the date and time of the incident, and a

determination of whether an exposure incident has occurred. Each building will maintain a list of such first aid incidents which will be readily available to all employees and provided to KDHR upon request. Any employee who renders first aid or other assistance in any situation involving the presence of blood or OPIMs will be offered the full Hepatitis B immunization series as soon as possible, but in no event later than 24 hours after the incident occurs. If an exposure incident has occurred, other post-exposure evaluation and follow-up procedures will be initiated as well.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

An exposure incident occurs when there is specific mucous membrane, non-intact skin or parenteral contact with blood or OPIMs. Whenever an employee has an exposure incident in the performance of his or her duties, an opportunity for a confidential post-exposure evaluation and follow-up will be provided to the employee at the expense of the district.

Post exposure evaluation and follow-up shall be performed by Dr. Diana Katt at her clinic. The district will make sure that any laboratory tests required by the evaluation or follow-up procedures are conducted at an accredited laboratory at no cost to the employee.

Whenever an exposure incident occurs, the exposed employee shall report the incident to each building principal, who will explain to the employee his or her right to a post-exposure evaluation and follow-up. If the employee desires an evaluation, the building principal will contact Dr. Diana Katt as soon as feasible to arrange for the post-exposure evaluation for the employee.

A post-exposure evaluation and follow-up will include the following elements:

1. Documentation of the circumstances under which the exposure incident occurred, including the route (s) of the employee's exposure.
2. Identification and documentation of the source individual whose blood or OPIMs caused the exposure, unless identification is infeasible or prohibited by law.
3. Unless the source individual is known to be infected with HBV or HIV, the school district through the building principal will seek the consent of the source individual for blood testing for HBV or HIV. Failure to obtain consent will be documented by the district.
4. If the source individual consents, results of the source individual's blood testing will be made available to the exposed employee, along with information on laws concerning the disclosure of the identity and infectious status of the source individual.
5. If the exposed employee consents, blood testing of his or her blood will be completed as soon as possible. If the employee consents to baseline blood collection, but no to HIV serologic testing, the blood sample will be retained for 90 days. The employee may request testing of the sample at any time during the 90 day period.
6. The exposed employee will be offered post-exposure prophylaxis in accordance with current recommendations of the U.S. Public Health Service. These recommendations are currently as follows: If the source individual has AIDS, is HIV positive, or refuse to be tested, the employee should be counseled regarding the risk of infection and evaluated clinically and serologically for evidence of HIV infection as soon as possible after the exposure. The employee should be advised to report and seek medical attention.

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Evaluation for any acute febrile illness that occurs within 12 weeks after the **exposure**.

Retesting on a periodic basis may be necessary. During this follow-up period, especially the first 6-12 weeks after exposure, the employee should follow recommendations for preventing the transmission of the virus.

7. The exposed employee will be offered counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel. Reports should be made to building principals.

WORKING WITH THE HEALTH CARE PROFESSIONAL

The Superintendent of Schools will provide Dr. Diana Katt with a copy of the OSHA regulation governing bloodborne pathogens, and ensure that Dr. Katt is provided with: a description of the employee's duties as they relate to the exposure incident, documentation of the circumstances under which the exposure incident occurred, results of the source individual's blood test (if available), and all medical records which the district is required to maintain which are relevant to the appropriate treatment of the employee, including the employee's vaccination status.

WRITTEN OPINION OF THE HEALTH CARE PROFESSIONAL

Following post-exposure evaluation, the health care professional shall provide the school district with a copy of his or her written opinion within 15 days after the completion of the evaluation. This opinion shall include:

1. An opinion on whether Hepatitis B vaccination is indicated for the employee, and if the employee has received the vaccination.
2. A statement that the employee has been informed of the results of the evaluation and about any medical conditions resulting from exposure to blood or OPIMs which require further evaluation or treatment.

All other findings or diagnoses shall remain confidential between the employee and the health care provider and shall **not** be included in the written opinion.

COMMUNICATION OF HAZARDS TO EMPLOYEES

LABELING

Any container which contains blood or OPIMs in the district shall be appropriately labeled with a "BIOHAZARD" label. All "BIOHAZARD" labels will have a fluorescent orange or orange-red background and have the biohazard symbol and the word "BIOHAZARD" in a contrasting color.

Any receptacle used for the disposal or deposit of contaminated materials for laundering or discard will be appropriately labeled.

Any equipment which is contaminated will be appropriately labeled.

TRAINING

A training program on bloodborne pathogens will be provided for all employees with

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occupational exposure. Training will be provided during working hours, and at no cost to the employee. Attendance at training sessions is mandatory.

Initial training will be provided for all employees within 60 days after the adoption of this exposure control plan. Thereafter an employee will be provided with training at the time of initial assignment to tasks where occupational exposure may occur. Additional training will be provided if changes in an employee's assignments affect the employee's occupational exposure.

The training program will be conducted by a person who is knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the work place that the training will address, and presented in a manner which is understandable for all employees.

The training program will contain, at a minimum, the following elements: (1) A copy of the OSHA standard and explanation of its contents; (2) A general explanation of the epidemiology and symptoms of bloodborne diseases; (3) An explanation of the modes of transmission of bloodborne pathogens; (4) An explanation of the exposure control plan and information on how the employee may obtain a copy of the plan; (5) An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and OPIMs; (6) An explanation of the use and limitations of methods, such as engineering controls, work practices, and personal protective equipment that will prevent or reduce exposure; (7) Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, benefits, and the conditions under which it is offered, free of charge, to employees; (8) Information on the appropriate actions to take and the persons to contact in an emergency involving blood or OPIMs; (9) An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting and the medical follow-up that will be made available at no charge; (10) Information on the post-exposure evaluation and follow-up following an exposure incident; (11) An explanation of labeling and color coding; and (12) An opportunity for questioning the person conducting the training session.

RECORD KEEPING

MEDICAL RECORDS

The school district will establish and maintain a confidential medical record for each employee with occupational exposure. This record will include: (1) the name and social security number of the employee; (2) a copy of the employee's Hepatitis B vaccination status, including the dates the vaccination was given, any medical records relative to the employee's ability to receive the vaccination, or the employee's signed waiver; (3) a copy of all results of examinations, medical testing, and follow-up procedures; (4) a copy of the health care professional's written opinion following post-exposure evaluation and follow-up; and (5) a copy of any information provided to the health care professional under the evaluation and follow-up procedures.

The medical records of employees maintained under this policy will be kept confidential and will be not disclosed to any person, except as required by law, without the employee's express written consent. Medical records required under this plan will be maintained for the duration of the employee's employment, and for thirty years thereafter.

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TRAINING RECORDS

The school district will maintain records of all training sessions offered to employees under this plan. Such records will include: The dates of the training session; a summary of the contents of the session; the name (s) and qualifications of the persons conducting the training; and the names and job titles of all persons attending the training sessions. Training records will be kept for at least three years from the date on which the training occurred. Employee training records will be made available for inspection to employees, anyone having the written consent of the affected employee, and to KDHR upon request.

ACCESSIBILITY AND REVIEW

A copy of this Exposure Control Plan will be accessible to all employees of the district in the office of each building in the district. Any employee will be provided with a copy of the plan at no cost upon request. A copy of this plan will also be made available to KDHR upon request.

This Exposure Control Plan will be reviewed and updated at least annually, or whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure, or to reflect new or revised employee positions with occupational exposure. Each building principal shall be responsible for scheduling the annual review of this plan.

Appendix A

HEPATITIS B VACCINE DECLINATION FORM

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be a risk of acquiring Hepatitis B virus (HBV) infection. I have given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. In the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Date

Signature of Employee

Appendix B

FIRST AID INCIDENT REPORT

1. Date and time of the first aid incident:
2. Names of all first aid providers:
3. Description of the accident or incident, and the circumstances surrounding it, which resulted in the need for first aid procedures:
4. Did an exposure incident occur? YES or NO
(an exposure incident occurs when there is specific mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials. Parenteral contact means the piercing of mucous membranes or the skin barrier through needle-sticks, human bites, cuts, abrasions, etc.)
5. Post-exposure evaluation and follow-up (were) (were not) offered.
6. The affected employee was offered the full Hepatitis B immunization series at (fill in time and date).

Date and time of the report

Signature of responsible person

Appendix C

POST-EXPOSURE EVALUATION AND FOLLOW-UP REPORT

1. Name of employee who had an exposure incident.
2. Date, time, and place of the exposure incident.
3. A description of the circumstances under the exposure incident occurred:
4. A description of the route(s) of the employee's exposure:
5. Information on the source individual:
 - a. The identity of the source individual (is) (is not) known. (If the answer is "is not" go to question 6.)
 - b. The source individual (is) (is not) known to be infected with HBV or HN. (If the answer is "is" go to question 6.)
 - c. The school district, through _____ sought the consent of the source individual to blood testing. The source individual (did) (did not) consent to blood testing. (If the answer is "did not" go to question 6.)
 - d. The source individual (did) (did not) consent to having the results of the blood test released to the school district and to the affected employee. (If the answer is "did not" go to question 6. If the answer is "did" the affected employee and any employee who receives the information on behalf of the district should be instructed that such information must be kept confidential pursuant to Kansas law.)
 - e. (Name of responsible employee) made the results of the source individual's blood test available to the affected employee on (date).
6. (Exposed employee) was informed of his/her right to post-exposure evaluation and follow up by (responsible employee) on (date). (Exposed employee) was informed that (name of health care professional) would perform the evaluation at (name of health care facility), at the expense of the district, and that (responsible employee) would arrange an appointment for the evaluation. (Exposed employee) (declined) (accepted) the offer and the appointment (was) (was not) made.
7. (Responsible employee) offered (exposed employee) post-exposure prophylaxis in accordance with current recommendations of the U.S. Public Health Service on (date).
8. (Responsible employee) offered (exposed employee) counseling with (name of nurse, physician or counselor) concerning precautions to take during the period after the exposure incident. Such counseling also included information on potential illnesses. (Exposed employee) was instructed to report any related experiences to (responsible employee).

Date of Report

Signature of Responsible Employee

GARI FAMILY AND MEDICAL LEAVE PLAN

(Remove this page from the policy book)

SAMPLE: FAMILY AND MEDICAL LEAVE PLAN

Family and medical leave as required by federal law shall be granted for a period of up to 12 weeks during a 12-month period. For purposes of this policy, a 12-month period shall be defined as a fiscal year beginning on July 1 and ending the following June 30. Spouses who are eligible for FMLA leave and are both employed by the district may be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement, or to care for the employee's parent with a serious health condition.

Leave is available for the following:

- (1) the birth of a son or daughter of the employee and to care for the newborn child;
- (2) the placement of a son or daughter with the employee for adoption or foster care and to care for the newly placed child;
- (3) to allow the employee to care for the employee's spouse, son, daughter, or parent with a serious health condition;
- (4) a serious health condition of the employee that makes the employee unable to perform the functions of his or her job;
- (5) any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to achieve active duty) in support of a contingency operation; and
- (6) the need to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member. Eligible employees are, for reason (6) only, entitled to a combined total of 26 workweeks of leave during a 12-month period.

This leave shall normally be unpaid leave. However, if the employee has any paid vacation, personal, or sick leave that is available for use because of the reason for the leave, the paid leave shall be used concurrently with the annual family and medical leave. The superintendent will notify the employee of the beginning date of family and medical leave and the amount of the employee's accrued paid leave designated as family and medical leave.

The employee is eligible for family and medical leave if he or she has been employed by the district for at least 12 months and has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the FMLA leave.

During the period of any unpaid family and medical leave, the board shall continue to pay the employer's share of the cost of group health benefits in the same manner as paid immediately prior to the leave. Any employee portion of the

GARI FAMILY AND MEDICAL LEAVE PLAN

cost shall be paid by the employee to the clerk of the board on the payroll date or other time as the employee and superintendent may agree prior to the commencement of the leave. The board may terminate group health coverage if the employee's portion of the payment is not received within 30 days of the due date, so long as written notice of the delinquency in payment and the notice of intent to terminate coverage are sent at least 15 days prior to the termination.

When leave is foreseeable, the employee shall give written notice 30 days in advance. If leave is not foreseeable, notice will be given as soon as is practicable.

Upon the employee providing notice of need for leave, the employer will notify the employee of the following within 5 business days, absent extenuating **circumstances**:

- a. whether or not the employee is eligible for FMLA leave, and the reasons that leave will or will not count as family and medical leave;
- b. any requirements for medical certification;
- c. employer requirement of substituting paid leave;
- d. requirements for premium payments for health benefits and employee responsibility for repayment if employer pays employee share;
- e. right to be restored to same or equivalent job; and
- f. any employer required fitness-for-duty certifications.

The superintendent may require an instructional employee to continue leave until the end of a semester if the leave begins more than five (5) weeks before the end of a semester, lasts more than three (3) weeks and the return would occur during the last three (3) weeks of the semester.

Leave for reason 1 or 2 must be taken within 12 months of the date of birth or placement of the child. Family leave for reasons 1 or 2 may not be used intermittently or on a part-time basis without the prior approval of the superintendent.

If the leave is for a reason other than the employee's serious health conditions or for a qualifying exigency as described in section (5) above, the superintendent may require an instructional employee to continue leave until the end of a semester, if:

1. the leave begins in the last five (5) weeks of a semester, will last more than two (2) weeks and the return to work would occur in the last two (2) weeks of a semester, or
2. the leave begins in the last three (3) weeks of a semester, and lasts more than five (5) days.

Military Leave

GARID

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

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

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

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

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

The employee may be absent for up to five (5) years for military duty and retain reemployment rights. There are, however, exceptions which can exceed the five (5) year limit. Reemployment protection does not depend on the timing, frequency, duration or nature of an individual’s service. The law enhances protections for disabled veterans including a requirement to provide reasonable accommodations and up to two (2) years to return to work if convalescing from injuries received during service or training.

The returning employee is entitled to be reemployed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by law. If necessary, the employer must provide training or retraining that enables the employee to refresh or upgrade their skills so they can qualify for reemployment. While the

Military Leave

GARID-2

individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other individuals on non-military leaves of absence. Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 24 months at a cost of up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the individual had never left. All pensions which are a reward for length of service are protected.

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

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

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

TIME SPENT ON MILITARY DUTY	RETURN TO WORK OR APPLICATION FOR REEMPLOYMENT
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Less than 31 days:	Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.
More than 30 but less than 181 days:	Must submit an application for reemployment within 14 days of release from service.
More than 180 days:	Must submit an application for reemployment within 90 days of release from service.

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

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

If documentation is not readily available or does not exist, the individual must be reemployed. However, if after reemploying the individual, documentation becomes available that shows one or more

Military Leave

GARID-3

reemployment requirements were not met, the employer may terminate the individual, effective immediately. The termination does not operate retroactively.

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

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

Approved: 6/23

KASB Recommendation 9/97; 4/07; 6/08; 6/09; 6/10; 6/23

GAT **Staff Use of Communication Devices** (See IIBG and IIBGC) **GAT**

The board encourages district employees to use technology, including communication devices, to improve efficiency and safety. The district expects all employees to use communication devices in a responsible manner that does not interfere with the employee's job duties. Employees who violate district policies and procedures governing the use of communication devices may be disciplined, up to and including termination, and may be prohibited from possessing or using communication devices while at work. Communication devices may not be used in any manner that would violate the district's policy on student-staff relations.

Definitions

"Communication device" is defined to include all portable devices that send or receive calls or text messages, allow the retrieval of email, or provide access to the Internet. Communication devices shall include, but may not be limited to cell phones, smart phones, iPads, and tablets.

"Use/Using" for the purposes of this policy mean answering or talking on the phone; sending or responding to a text, e-mail, or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; accessing social media websites; playing games on such device; continuously checking a communication device; or any activity with a communication device that interferes with the employee's job duties or appropriate supervision of students.

General Use

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district. Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students and the provision of academic instruction are priorities in the district, and employees who are responsible for supervising and/or providing academic instruction to students must concentrate on these tasks at all times. Employees shall not use communication devices when they are responsible for supervising students or when their doing so interrupts or interferes with classroom instruction unless any of the following conditions occurs:

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- The device is being used to instruct the students being supervised at the time;
- The use is necessary to the performance of an employment-related duty;
- The employee has received specific and direct permission from a supervisor to do so; or
- There is an emergency.

Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use so that students are supervised at all times.

Use in Vehicles

Regardless of other provisions of this policy, unless there is an emergency, employees shall not use communication devices when:

- Driving district-provided vehicles;
- Operating a vehicle in which a student is being transported when the transportation is provided as part of the employee's job; or
- Supervising students who are entering or exiting a vehicle, crossing thoroughfares, or are otherwise attempting to safely reach their destinations.

Even in emergency situations, employees should first take all possible safety precautions before using communication devices. Employees are subject to local, state, and federal laws governing use of cell phones while driving and will be solely responsible for all traffic violation liabilities resulting from their use of a phone while driving.

Use of District-Provided Communication Devices

The district may provide communication devices and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided communication device is a privilege. The superintendent or designee has sole discretion as to which employees will be provided communication devices and may recall any previously issued communication device. Employees do not have any expectation of privacy in district-provided communication devices or any information stored on them, and such devices may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district-provided communication devices from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft that was the result of the employee's

negligence. Users of district-provided communication devices must abide by any use limitations included in the district's service contract.

Personal Use of District-Provided Communication Devices

Personal use of district-provided communication devices is permissible as long as the use does not exceed the limits of the applicable plan. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the device was not used for personal reasons. The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

Staff Bring Your Own Device Policy

Use of employees' personal communication devices during work hours shall be restricted to classroom or work-related activities. Such personal communication devices may only be used by the staff member and are not for student use. The security of personal computing devices is solely the responsibility of the staff member. Any loss resulting from damage or theft of personal communication devices in the school setting is not the responsibility of the district.

Approved: September 2014, March 2015

GBA Compensation Guides and Contracts

The board shall compensate all teachers within the financial limitations and abilities of the district.

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

(Provisions of district's schedules and contracts for regular compensation and for supplemental compensation may be inserted here. Only those provisions that are not negotiated should be included.)

Approved: May, 1994

GBB Positions

Only those certified positions authorized by the board may be filled.

The superintendent or designated representative shall prepare a comprehensive list of all positions of employment within the school system, together with the qualifications for the duties and responsibilities of each such positions. Such compilation of job descriptions shall be filed in the office of the clerk of the board and made available to all employees for their inspection during regular office hours.

Approved: May, 1994

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GBBA

GBBA Qualifications and Duties

A job description for each classification of certified employees will be developed by the superintendent. A copy of each job description shall be filed with the clerk and may be published in the appropriate handbook.

Approved: May, 1994

GBC Recruitment

Subject to board approval, the superintendent is directed to recruit qualified personnel to staff the schools. The superintendent may request building principals or other staff members to assist in this effort.

Approved: May, 1994

GBD Hiring

Certified Selection

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

All employment contracts recommended by the superintendent are subject to ratification by the board.

The employment of any staff member is not official until the contract is signed by the candidate and approved by the board.

The hiring sequence shall be as follows:

The verbal offer of employment to the candidate;

Verbal acceptance by the candidate;

Contract sent to the candidate and candidate's acceptance signified by a signed contract returned to the superintendent; and

Approval of the contract by the board.

Approved: May, 1994

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GBE

GBE Assignment and Transfer

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

Approved: November, 1995

GBG Probation

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

Approved: May, 1994

GBG-R Probation

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

Failure by an employee to meet the conditions of probation may result in nonrenewal or termination of the employment contract.

Approved: May, 1994

GBH Supervision

GBH

The superintendent and other administrators designated by the superintendent have the right to supervise licensed staff. The responsibility for the immediate supervision of licensed staff rests with each building principal.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GBI Evaluation

The evaluation policy and evaluation instrument adopted by the board governing evaluation of certified teachers is filed in the central office with the clerk of the board and may be published in the teachers' handbooks.

Availability of Evaluation Documents

Evaluation documents shall be available to the superintendent, assistant superintendent, central office personnel administrators under whose supervision the teacher works, the administrator who evaluates, the teacher, the building administrator under whose direct supervision the teacher will work and others authorized by law.

Approved: May, 1994

GBK Suspension

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

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

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

Approved: 10/08

GBN Nonrenewal and Termination

GBN

Nonrenewal or termination shall be in accordance with Kansas law and the negotiated agreement, as applicable.

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GBQ Retirement (Cf. GBN) (Also GCQ)

The retirement age for any staff member will be in accordance with current law.

If the board has a good faith doubt that the employee can fulfill the employee's contractual obligations and/or the policies and rules of the board because of a mental or physical infirmity, the board reserves the right to have its employee examined by a physician of its choice to determine whether or not the employee is mentally and/or physically able to fulfill the obligations of the employment contract and/or the policies and rules of the board.

(Cf. GBN)

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

Approved: May, 1994

Reduction of Teaching Staff

GBQA

Unless otherwise provided in the negotiated agreement, if the board decides that the size of the teaching staff must be reduced, the following guidelines shall be followed.

Insofar as possible, reduction of staff shall be accomplished by attrition due to resignations and retirement. Following attrition, if additional reductions are required, the following steps will be utilized by the district's administrative staff to reduce the teaching staff:

- The number of teaching positions to be reduced shall be in accordance with the educational goals established by the board.
- The number of teachers needed to implement the district's educational program will then be determined by the administrative staff based on those educational goals in determining which teachers will be nonrenewed due to reduction in force.
- The educational goals and needs of the district, individual certifications, qualifications, training, skills, evaluations, and interests.

If all of the teachers in the area identified for reduction have similar certifications, qualifications, training, skills, evaluations and interests, the teacher(s) who best meets the needs of the district, considering the factors outlined above and any other relevant factors, will be retained.

Any certified employee who has not been reemployed as a result of reduction of the teaching staff shall be considered for reemployment if a vacancy exists for which the teacher would qualify. Certified employees who may be eligible for reemployment are required to notify the district of their current address. The superintendent will recommend to the board reinstatement of any teacher he/she deems qualified and able to serve the best interests of the district. The board shall not be required to consider reinstatement of any teacher after a period of one year from the date of nonrenewal.

Approved: 6/23

KASB Recommendation – 2/98; 4/07; 6/14; 6/23

GBR Work Schedule

Teachers to Remain in the Classroom

Any teacher who finds it necessary to leave an assigned duty station while supervising students shall first secure approval from the building principal.

Approved: May, 1994

GBRD Staff Meetings

GBRD

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

Approved: 09/19

KASB Recommendation - 2/98; 4/07; 6/19

GBRE Additional Duty

GBRE

The board may establish other educational assignments that may extend beyond the school day or time class is in session. Compensation for such assignments, if any, will be as specified in the negotiated agreement.

Approved:

KASB Recommendation - 2/98; 4/07; 6/16

GBRF Student and Parent Conferences

Teachers shall be available for student and/or parent conferences at mutually convenient times. The principal may schedule individual or building-wide parent-teacher conferences as necessary.

Approved: February 2016

USD 329 Mill Creek Valley

GBRG

GBRG Non-School Employment

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

Approved: May, 1994

GBRGA Consulting

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

Requests for approval to serve as a consultant shall be submitted in writing to the superintendent, who shall forward the same together with his recommendation to the board for consideration.

Approved: May, 1994

GBRH Leaves and Absences (See GBRC)

GBRH

Licensed employees will be provided with paid and unpaid leave in accordance with applicable law and the negotiated agreement. The board reserves the right to grant additional leave.

Approved: 09/19

KASB Recommendation - 7/03; 4/07; 6/19

GBRID Military Leave (Also GCRG)

Any employee, upon written request to the superintendent, shall be granted leave to cover the length of his required service, as defined below, in the military forces of the United States. Each request for military leave shall be accompanied by a copy of the appropriate military orders. On the date of release from service, the employee shall notify the superintendent of his availability and possible date of return to employment.

Service veterans returning to active duty have a four-year duty period which may be extended to five years at the option of the military service. Such employees have a 90 day period following release to report for reemployment with the district. This type of military leave shall be without pay.

Employees who are guardsmen or reservists taking initial active duty training will have 31 days after release to report for reemployment with the district. This type of military leave shall be without pay.

Guardsman or reservist taking annual training, special school or special duty will report for reemployment with the district immediately following release plus any necessary travel time. This type of military leave may be with pay subject to board approval.

Failure to return within the time period allowed without notice to the superintendent shall result in cancellation of the military leave, and the employee shall receive no credited service in the district for the time served on military leave. Continued absence may result in termination of employment.

Military leave shall be limited to the length of service required by the induction of the draftee or the orders to active duty of enlisted reserves or members of the national guard plus the applicable time period following release. Military leave for guardsmen or reservists who are ordered to active duty shall be limited to the date when the officer can by his own actions terminate such active duty or the date of his orders to inactive status, whichever may occur first.

An employee on military leave, if he makes application to the superintendent within the applicable time period after the effective date of his release from active duty, shall be returned to a position comparable to the position held at the time the leave was granted. The employee's salary and benefit status upon return from military leave shall be the same as it would have been if leave had not been taken. The district shall have a 10-day grace period to make arrangements for reemployment of the employee, and the superintendent shall make every effort consistent with law and the wishes of the employee to minimize any possible adverse effect of employment changes on the educational program.

In the event the requested military leave causes an educational disservice to the education of the boys and girls of the district, the superintendent shall notify the commanding officer who signed the orders, requesting an adjustment in the orders. If the superintendent is not satisfied with the response, he shall seek further assistance by calling 1-800-336-4590 to request a consultation with an officer in the National Committee for Employer Support of the Guard and Reserve, Office of the Secretary of Defense,

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1735 North Lynn Street, Arlington, VA 22209.

Approved: May, 1994

GBRJ Arrangement for Substitutes (See IKH)

Substitute teachers shall be employed by building principals as needed.

Each principal shall make suitable arrangements for securing necessary substitutes.

Whenever a teacher is to be absent from teaching duties, the teacher shall notify the principal as early as possible or shall arrange to have some other person notify the principal.

Approved: May, 1994

GBU **Ethics** (See IA and IKB)

GBU

An educator in the performance of assigned duties shall:

- meet and continuously maintain applicable certification or licensure requirements as defined by state and/or federal law for position held;
- actively support and pursue the district's educational mission.
- recognize the basic dignity of all individuals;
- maintain professional integrity;
- avoid accepting anything of substantial value offered by another which is known to be or which may appear to influence judgment or the performance of duties;
- accurately represent professional qualifications; and
- be responsible to present any subject matter in a fair and accurate manner.!

Approved:

KASB Recommendation - 2/98; 4/07- 12/16

GCA Compensation Guides and Contracts

Non-certified employees shall be paid according to pay rates established by the board.

There will be no overtime unless prior approval is granted.

Compensation for Out-of-Town/Overnight Trips

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

Regular or overtime pay as appropriate for time away from (name of town) MINUS:

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

All non-certified contracts will include a clause that the contract may be terminated by either party after giving written notice of two weeks (14 days) to the other party.

Approved: November, 1995

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GCB

GCB Positions

The board will hire noncertified employees as the needs of the district dictate.

Approved: May, 1994

USD 329 Mill Creek Valley

GCBA

GCBA Qualifications and Duties

See job descriptions located in the central office.

Approved: May, 1994

USD 329 Mill Creek Valley

GCE

GCE Assignment and Transfer

The board or its designee retains and reserves the right to assign reassign, and transfer all non-certified personnel.

Approved: November, 1995

GCG Non-Certified Employee Probation

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

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

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

Approved: November, 1995

GCH Supervision

The superintendent or designated representative has the responsibility to supervise all non-certified employees not directly under the supervision of a building principal. A building principal has the responsibility to supervise all non-certified employees who are assigned to the building as provided for within the context of GCBA-R.

Approved: May, 1994

GCI Classified Employee Evaluation

All classified employees shall be evaluated twice during their first year of employment and at least once a year during subsequent years. Evaluation documents will be on file with the clerk of the board.

Classified employees shall be evaluated by the principal of the building to which they are assigned. District-level classified employees shall be evaluated by the superintendent or designated representative.

Classified employees shall be evaluated on their personal qualities, their commitment to duty and specific work-related skills which are directly related to their job description. A copy of the completed evaluation will be given to each employee after it is signed by the employee and the evaluator. A copy will also be placed in the employee's personnel file at the district office.

Approved: May, 1994

GCK Suspension

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

Approved: October 2008

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GCO

GCO Resignation

Noncertified employees may resign from their jobs in accordance with the employment contract and/or the rules of the board.

Approved: November, 1995

GCOP Non-Certified Staff pay For Unused Sick Leave

A non-certified staff member will be paid a stipend for unused sick leave upon retirement or resignation. The following provisions apply:

1. Any non-certified staff member who retires and receives KPERS benefits will be reimbursed \$15.00 per day for all sick leave days accumulated at the time of retirement.
2. Non-certified staff members who resign must have worked in the district at least ten years to receive the unused sick lead stipend.

Approved: April, 1996

GCR Work Schedules

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

Time Schedules

The superintendent shall develop time schedules for all noncertified employees.

Work Load

Work load assignments for noncertified personnel, i.e., clerical, aides, nurses, maintenance, custodial, food service and transportation, shall be made by the superintendent.

Approved: March, 1998

GCR-R Work Schedules

Time Schedules

Time schedules for non-certified employees will be assigned at the beginning of the employment term by the superintendent.

Work Load

The normal work load for non-certified personnel shall consist of 40 hours per week for full-time employment.

Approved: May, 1994

GCRE Travel Expenses (Also GBRF)

The board will provide reimbursement for expenses incurred in travel related to the performance and duties of non-certified employees when approved in advance by the superintendent.

Approved travel will be reimbursed at a mileage rate established by the board each August. All other expenses such as lodging and subsistence must be approved prior to payment by the superintendent or designated representative.

Approved: May, 1994

Non-School Employment

GCRF

Classified employees shall not be excused during their regularly scheduled duty day to perform outside employment unless, upon receipt of the employee's leave request, the supervisor determines:

- The requesting employee has adequate leave time available;
- The requesting employee's absence will not interfere with regular work operations; and
- The leave is approved prior to the requested leave being taken.

The supervisor may approve leave without pay for extraordinary circumstances.

Except as otherwise specified above, classified employees shall not engage in outside employment which interferes with their job duties or responsibilities.

Approved: 12/12/2022

KASB Recommendation - 2/98; 4/07; 12/22

GCRG Leaves and Absences

Non-certified employees may be granted leaves and absences.

Emergency and Legal

Non-certified employees may be granted emergency and legal leave.

Illness

Non-certified employees may be granted leaves for illness.

Military Leave (Also GBRID)

Any employee, upon written request to the superintendent, shall be granted leave to cover the length of his required service, as defined below, in the military forces of the United States. Each request for military leave shall be accompanied by a copy of the appropriate military orders. On the date of release from service, the employee shall notify the superintendent of his availability and possible date of return to employment.

Service veterans returning to active duty have a four-year duty period which may be extended to *five* years at the option of the military service. Such employees have a 90 day period following release to report for reemployment with the district. This type of military leave shall be without pay.

Employees who are guardsmen or reservists taking initial active duty training will have 31 days after release to report for reemployment with the district. This type of military leave shall be without pay.

Guardsmen or reservist taking annual training, special school or special duty will report for reemployment with the district immediately following release plus any necessary travel time. This type of military leave may be with pay subject to board approval.

Failure to return within the time period allowed without notice to the superintendent shall result in cancellation of the military leave, and the employee shall receive no credited service in the district for the time served on military leave. Continued absence may result in termination of employment.

Military leave shall be limited to the length of service required by the induction of the draftee or the orders to active duty of enlisted reserves or members of the national guard plus the applicable time period following release. Military leave for guardsmen or reservists who are ordered to active duty shall be limited to the date when the officer can by his own actions terminate such active duty or the date of his orders to inactive status, whichever may occur first

An employee on military leave, if he makes application to the superintendent within the applicable time period after the effective date of his release from active duty, shall be returned to a position comparable to the position held at the time the leave was granted. The employee's salary and benefit status upon return from military leave shall be the same as it would have been if leave had not been taken. The district shall have a 10-day grace period to make arrangements for reemployment of the employee, and the superintendent shall make *every* effort consistent with law and the wishes of the

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employee to minimize any possible adverse effect of employment changes on the educational program.

In the event the requested military leave causes an educational disservice to the education of the boys and girls of the district, the superintendent shall ,notify the commanding officer who signed the orders, requesting an adjustment in the orders. If the superintendent is not satisfied with the response, he shall seek further assistance by calling 1-800-336-4590 to request a consultation with an officer in the National Committee for Employer Support of the Guard and Reserve, Office of the Secretary of Defense, 1735 North Lynn Street, Arlington, VA 22209.

Approved: May, 1994

GCRH Drug and Alcohol Testing

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

Approved: November 1995