

MANDAREE SCHOOL NON-CERTIFIED PERSONNEL POLICIES & PROCEDURES

School Board Approved: July 20, 2022



Vision Statement

Our vision is for all students to be college bound or career ready upon graduation from Mandaree School.

Mission Statement

Our mission is to provide a rigorous K-12 curriculum in a clean, safe learning environment that fosters student independence through daily attendance, parental involvement, positive behavior, academic engagement, and data driven decision making.

Belief Statements

- We believe that every student must come to school daily, rested and ready to learn.
- We believe that all faculty and staff contribute to a positive school climate through daily attendance, enthusiasm, and willingness to assist students in the learning process.
- We believe that administrators are positive instructional leaders, providing the tools for staff and students to be successful.
- We believe that the school board provides effective governance through proactive policies and procedures.
- We believe that parents and community members support education through positive participation in activities and meetings, encouragement of student academic achievement, and maintenance of a safe and drug-free community.
- We believe in the importance of cultural identity and students learning about who they are and where they come from.

SECTION 1: INTRODUCTION:

These policies and procedures have been established to provide sound employer/employee relations, consistency of school operations, and to assure fair and equitable treatment of employer/employee relationships.

SECTION 2: PURPOSE OF THE MANUAL IS TO:

- A. Establish uniform guidelines governing all non-certified employees.
- B. Establish the basis for recruiting, selecting, upgrading, disciplining, and termination of the non-certified.

SECTION 3: AMENDMENT PROCEDURES:

This manual may be amended from time to time to meet the needs of the Mandaree School.

All non-certified members will receive copies of the handbook.

SECTION 4: RESPONSIBILITIES: Superintendent/Department Heads:

- A. Will be responsible for the implementation and enforcement of personnel policies and procedures as established by the Mandaree School Board.
- B. Have the authority to appoint temporary personnel from the pool established by the Personnel Manager for a period of 30 days. Prior to employment the salary authorization must be signed by the Superintendent. The appointment may be extended with the approval of the Superintendent.
- C. Participate In-Service Training of non-certified employees.
- D. Will be responsible for the day-to-day operation of the Mandaree School.
- E. Administer orientation sessions for all employees of the District's policies and procedures, rules and regulations, and employee benefits. Personnel Manager will issue a checklist with the orientation packet to the new employee. The orientation packet and checklist must be completed, signed, dated and returned to the Personnel Manager.
- F. The Business Office will establish and maintain a roster of all non-certified employees showing employment history of each employee.
- G. Advertise for all vacant positions and screen applicants to determine whether applicants meet the necessary qualifications for vacant positions.

- H. Advise the school board on employee utilization.
- I. New positions will be determined and reviewed by Department Heads, and then Superintendent will recommend to the school board.
- J. Cooperate with programs in providing necessary workshops to the non-certified.
- K. Conduct salary surveys to verify the rate of pay for jurisdictions of like pay for like work.
- L. Protect the confidentiality of personal information within personnel files, e.g., medical records, letters of recommendation or any other information that is pertinent in maintaining one's privacy.
- M. Department Head will maintain a daily work and lunch break schedule for non-certified employees so that no work area or duties are hampered or left undone. Department Heads will report daily attendance to front office staff, call in arrival & departure from duty station.
- N. Each Department must maintain a weekly leave schedule to be submitted to the Superintendent.

SECTION 5: Probationary Period:

- A. All new employees will be on a probationary period for sixty (60) working days, starting with the first day of work. Benefits will not apply until successful completion of probationary period.
- B. An employee may resign or may be discharged for cause during the probationary period without the employee or the employer being required to give the other party prior notification.
- C. An employee dismissed during the probationary period is not eligible to utilize the appeal or grievance procedure, unless the individual alleges discrimination due to race, color, national origin, creed, age, sex, religion or political affiliation.
- D. During the sixty (60) working day period, annual leave and sick leave will accrue. Any absences from the job during this period shall be Leave Without Pay.
- E. At the end of the probationary period, administration will decide on permanent employment subject to satisfactory work performance. The employee can be released during or at the end of the sixty (60) working day probationary period. Supervisor will conduct first mandatory performance evaluation for the personnel file based on the Job Description at the end of the 60 (working) day probationary period.

F. Promotions:

Promotion is defined as the act of moving an employee to a different position that carries with it greater responsibility and higher compensation.

Promotions shall be based on an evaluation of the individual's past performance and qualifications for the position to be filled. When these factors are relatively equal for two (2) or more employees, seniority may be considered the decisive factor.

Promotion Procedure:

An employee wishing to be considered for promotion to a new or vacant position in response to a period vacancy announcement shall indicate their interest to their supervisor. The supervisor shall notify the Superintendent of the employee's interest, who then will make the recommendation to the Mandaree School Board.

SECTION 6: POSITIONS AND COMPENSATION:

Job Description: Each employee shall be provided with a job description at the time they are hired, and a copy of the job description shall be placed in the employee's personnel folder.

- A. **Classes of Employment:** (The Non-Certified Policies & Procedures Handbook shall apply to all employees regardless of their class of employment.)
 - 1. **Full Time:** on the job for eight (8) hours per day, five (5) days per week, and selected to fill a budgeted position for the duration of the program year.
 - 2. **Part-Time:** called in on an as needed basis for one (1) to eight (8) hours per day, one (1) day to five (5) days per week.
 - 3. **Contracted for specific purpose,** limited based on budget.
 - 4. **Essential personnel** are employees who must report to work even when other employees may or may not be required to work. They are usually custodians/facilities and front office secretary. Essential personnel can change depending on the situation and it is a

call made by the superintendent.

5. Student dependent positions are those positions that are required only when students are in the building. This would include paraprofessionals, attendance officer/home liaison, kitchen assistants, special education secretary, bus drivers, etc. The work calendar start and end dates are typically 5 days before the school year starts and ends the last day of school. On days throughout the school year when students are not in the building student dependent positions are not scheduled to work. On “no student contact days” the employee uses leave or develops a work plan with another department.

6. Student independent positions work Monday through Friday, 52 weeks per year. The work calendar is continuous and you must work, use leave, or leave without pay every work day Monday through Friday. This includes the Business Office, front office secretary, facilities secretary, maintenance/custodial, food services manager, IT department, and transportation manager.

B. Work Schedule: Will be set by the Superintendent and Department Heads. All non-certified employees will utilize the time clock as directed. Work hours are determined by position and the Department Head to meet the needs of the students.

C. Work Calendars

Hourly Employees follow the approved school calendar.

52 Week Employees are Year-Round Employees and work Monday through Friday. This includes the following departments:

Business Office	Business Manager, Assistant Business Manager, Accounts Payable/Receivable, Human Resources
Facilities Department	Facilities Manager, Maintenance, Custodial, Secretary
Security Department	Security Personnel
Main Office	Front Office Secretary, Records Clerk
Information Technology	IT Director, IT Support
Food Service	Food Services Manager
Transportation Dept.	Transportation Manager

Approved School Calendar and how it applies to each work group:

52 Week Employees

Holidays	No work – Holiday Pay for 52 Week Employees
Snow Days	Scheduled Work Day for 52 Week Employees
Professional Development Days	Scheduled Work Day for 52 Week Employees
PTC Comp Days	Scheduled Work Day for 52 Week Employees
No student contact days	Scheduled Work Day for 52 Week Employees
Enrichment/Tutoring Fridays	Scheduled Work Day for 52 Week Employees
Virtual Learning	Scheduled Work Day for 52 Week Employees

Attendance Liaison – NON-HYBRID POSITION

10 days before school starts and ends 10 days after school ends

Holidays	No work – Holiday Pay
Snow Days	Scheduled Work Day if there is school; if there is no school the employee will use leave or work with another department IF the Department Head needs assistance. A Work Plan is given to the superintendent to identify work to be completed.
Professional Development Days	Scheduled Work Day or use leave
PTC Comp Days	Not a scheduled work day; the employee will use leave or work with another department IF the Department Head needs assistance.
No student contact days	Not a scheduled work day; the employee will use leave or work with another department IF the Department Head needs assistance.
Enrichment/Tutoring Fridays	Scheduled work day; clock out when the employee reaches 40 hours for the week
Virtual Learning	Scheduled Work Day

Kitchen Assistants

5 days before school starts and ends 5 days after school ends. Summer Food Program is scheduled by Food Service Manager

Holidays	No work – Holiday Pay for Kitchen Assistant
Snow Days	Scheduled Work Day if there is school; if no school it is a work as directed by Food Service Manager or use leave day
Professional Development Days	Scheduled Work Day for kitchen assistant to provide food services to employees.
PTC Comp Days	Not a scheduled work day. Work as directed by Food Service Manager or use leave day.
No student contact days	Not a scheduled work day. Work as directed by Food Service Manager or use leave day.
Enrichment/Tutoring Fridays	Scheduled work day but limited food service based on number of students present
Virtual Learning	Scheduled Work Day for kitchen assistant to provide food services to employees.

Paraprofessionals

Start first day of teacher in-service and ends the last day of school identified on the approved school calendar.

Holidays	No work – Holiday Pay for Paraprofessionals
Snow Days	Scheduled Work Day if there is school; if there is no school you will use leave or work with another department IF the Department Head needs assistance. A Work Plan is given to the superintendent to identify work to be completed.
Professional Development Days	Scheduled work day or use leave.
PTC Comp Days	Not a scheduled work day for paraprofessionals; the employee will use leave or work with another department IF the Department Head needs assistance.
No student contact days	Not a scheduled work day for paraprofessionals; the employee will use leave or work with another department IF the Department Head needs assistance.
Enrichment/Tutoring Fridays	Scheduled work day; clock out when paraprofessional reaches 40 hours for the week
Virtual Learning	Scheduled work day

Bus Drivers

First day of school to the last day of school. Bus drivers are scheduled for extra-curricular events on a rotation basis. Pay structure includes 40-hour work week each pay period regardless of the number of hours worked. No additional compensation is included for extra-curricular events.

Holidays	No work – Holiday Pay for Drivers
Snow Days	Scheduled Work Day if there is school; No work if there are students
Professional Development Days	Not a scheduled work day
PTC Comp Days	Not a scheduled work day
No student contact days	Not a scheduled work day
Enrichment/Tutoring Fridays	Not a scheduled work day
Virtual Learning	Not a scheduled work day

HYBRID POSITION:

Attendance Liaison

10 days before school starts and ends 10 days after school ends

Holidays	No work – Holiday Pay
Snow Days	Scheduled Work Day if there is school.
Professional Development Days	Scheduled Work Day
PTC Comp Days	Not a scheduled work day
No student contact days	Not a scheduled work day
Enrichment/Tutoring Fridays	Scheduled Work Day
Virtual Learning	Scheduled Work Day

Late Start and Early Dismissal Procedures

Late starts are called to give buses more time to navigate the roads. There is no breakfast served on late start days. Hourly employees will be granted one hour of admin leave for a late start IF they report to work. Work day starts at 9am for late start days. Paraprofessionals report to duty stations to cover student supervision.

If school is cancelled due to weather 52-week employees report or use leave. The exception would be hazardous road conditions and in this case admin leave can be considered by the superintendent.

If school is cancelled due to weather student dependent positions (paraprofessionals, food service assistants) do not work and will use leave or work in another department. The student dependent positions will make up the hours on the identified Snow Day. The exception would be hazardous road conditions and in this case admin leave can be considered by the superintendent.

Early Dismissals are called when conditions mean students are to be sent home. Hourly employees can use leave any time they feel conditions exist that they need to leave the building before school is dismissed.

D. Compensation:

For all non-certified staff, compensation will be determined by the School Board salary schedule depending on position.

Payroll checks or other payment due will be distributed on Friday following a pay period to the Department Head.

Admin Pay is granted by the Superintendent under unique circumstance when the school day or work schedules are changed due to circumstances beyond our control. To earn admin leave you must be at work the day it is granted. If you are on leave and/or not in the immediate vicinity of the school and available for work you will not receive the admin leave granted.

Working beyond your work calendar is determined on a needs basis. The Department Head submits a work plan to the superintendent identifying work to be completed. Pay rate is part-time pool rate. This applies to paraprofessionals who work in a different department during summer months. This applies to kitchen assistants who work the Summer Food Program.

Essential personnel who are required to work holidays shall be compensated with Holiday Pay in addition to the number of hours worked.

SECTION 7: Fringe Benefits:

FICA (Social Security/Medicare) is determined by employment law.

Unless as exempted by the Internal Revenue Service, all district employees are obligated to Social Security Coverage. This means that part of your salary is placed in the Social Security fund for your benefit.

North Dakota Workmen's Compensation

In case of injury, the supervisor will be notified and proper application will be made to the Payroll Manager.

North Dakota Unemployment Compensation

North Dakota Unemployment Compensation rules will apply as determined by ND Job Services.

Hospitalization and other coverage

Mandaree School has obtained a group hospital and doctor plan. The School District will pay single health, vision, dental and life coverage monthly.

ND PERS is determined by employment law.

The School District will pay the established rate into the retirement fund.

Fringe Benefits are earned based on hours worked. If an employee does not work an average of 35 hours every work week, they are falling below eligibility for benefits. Department Heads are to monitor hours worked every pay period.

It is recognized that an hourly employee using earned sick or personal leave may not work 35 hours in a particular week and is exempt from written notification that the employee is not working 35 hours per week.

There is a distinction when an employee is using their own earned sick or personal leave and using sick or personal leave donated from another employee. In using donated leave there is a recognition that the employee is in a Leave Without Pay situation.

There is consideration for catastrophic illness and personal circumstances related to death of immediate family members as identified in policy as spouse, parents, spouse’s parents, children, grandparents, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, or stepparents/children/siblings.

When an employee falls below the 35 hours worked due to Leave Without Pay the Department Head will notify the employee that consistent work attendance is necessary to maintain benefits and continued employment. If an employee does not work the 35 hours every week on a consistent basis due to the use of Leave Without Pay the following guidance will be used:

1. Verbal conference followed by written documentation on maintaining 35-hour average work week to be eligible for benefits and continued employment.
2. When an hourly employee has a 2 week pay period that their hours worked is less than 35 hours due to Leave Without Pay a Letter of Warning that hours worked are not consistently 35 hours per week will be given. Working 35 hours per week is necessary to be eligible for benefits and continued employment.
3. When an hourly employee has an additional 2 week pay period that their hours worked is less than 35 hours due to Leave Without Pay a 2nd Letter of Warning that hours worked are not consistently 35 hours per week will be given and an Improvement Plan to address excessive absence will be developed. Working 35 hours per week is necessary to be eligible for benefits and continued employment.
4. When an hourly employee has an additional 2 week pay period below the required 35 hours worked due to Leave Without Pay there will be a suspension without pay for 5 working days and a review of the Improvement Plan will be conducted. Working 35 hours per week is necessary to be eligible for benefits and continued employment.
5. Suspension without pay and a recommendation for termination to the School Board for failure to work required number of hours per week will be made for the next 2 week pay period that the hourly employee falls below 35 hours worked due to Leave Without Pay.

Retirement pay will be paid for retirement when the employee meets the Public Employees Retirement System (PERS) guideline for retirement (Rule of 85 or Rule of 90) and retires. It is based on the availability of local funds (oil and gas, interest, tribal funds that are not allocated for specific projects). With the net pay and taxes at the Mandaree School expense based on the following continuous years of service:

- 20 - 25 years of continuous service - \$15,000
- 15 - 20 years of continuous service - \$10,000
- 10 - 15 years of continuous service - \$ 5,000
- 5 – 10 years of continuous service - \$ 2,500

Leave Accumulation

52 Week Employees employed with the Mandaree School District #36 on a full time, permanent basis less than 3 yrs. can as follows:

Hours Worked	Sick Leave Earned Per Pay Period
1 – 10	0 Hours
11 – 30	1 Hour
31 – 50	2 Hours
51 – 70	3 Hours
71 – 80	4 Hours

Hours Worked	Annual Leave Earned Per Pay Period
1 – 10	0 Hours
11 – 30	.5 Hour
31 – 50	1 Hours
51 – 70	1.5 Hours
71 – 80	1.75 Hours

That equates to:

4 hours x 26 pay periods = 104 hours of sick leave or 13 days of sick leave annually
AND

1.75 hour x 26 pay periods = 45.5 hours of personal leave or 5.68 days of personal leave annual.

That is a total of 18.68 days of leave.

Employees who have been employed for the Mandaree School District #36 consecutively, over three (3) years can leave as follows:

Hours Worked	Sick Leave Earned Per Pay Period
1 – 10	0 Hours
11 – 30	1 Hour
31 – 50	2 Hours
51 – 70	3 Hours
71 – 80	4.25 Hours

Hours Worked	Annual Leave Earned Per Pay Period
1 – 10	0 Hours
11 – 30	.5 Hour
31 – 50	1 Hours
51 – 70	1.5 Hours
71 – 80	2 Hours

That equates to:

4.25 hours x 26 pay periods = 110.5 hours of sick leave or 13.81 days of sick leave annually
 AND
 2 hours x 26 pay periods = 52 hours of personal leave or 6.5 days of personal leave annually

That is a total of 20.31 days of leave.

Employees who have been employed at the Mandaree School consecutively, over fifteen (15) years can earn leave as follows:

Hours Worked	Sick Leave Earned Per Pay Period
1- 10	0 Hour
11 – 20	1 Hours
21 – 30	1.5 Hours
31 – 40	2 Hours
41 – 50	2.5 Hours
51 – 60	3 Hours
61 – 70	3.5 Hours
71 – 80	4.5 Hours

Hours Worked	Annual Leave Earned Per Pay Period
1- 10	0 Hour
11 – 30	.5 Hours
31 – 40	1 Hours
41 – 50	1.5 Hours
51 – 60	1.75 Hours
61 – 70	2 Hours
71 – 80	2.25 Hours

That equates to:

4.5 hours x 26 pay periods = 117 hours of sick leave or 14.625 days of sick leave annually
 AND
 2.25 hours x 26 pay periods = 58.5 hours of personal leave or 7.312 days of personal leave annually

That is a total of 21.937 days of leave.

Annual Leave is a use it or lose it basis.

An hourly employee may roll over a maximum of 3 days (24 hours) of annual leave if it is not used.

Annual Leave sell back is capped at 40 hours and dependent on Superintendent approval and available budget.

Rotating sick and personal leave to avoid the required medical certification for more than one day for hourly employees is not allowed. If an hourly employee is using sick leave for more than one day medical certification is needed.

SECTION 8: EMPLOYEES CONDUCT

Every employee is expected to conduct themselves in a professional manner.

With the exception of matters concerning time and attendance which are only valid for one (1) year, all letters of warning and suspension remain permanently in the employee's file and are used for disciplinary action at any time during their employment. Three (3) letters of warning on any of the offenses stated above will result in a two (2) week suspension without pay. The fourth letter of warning will result in termination of employment.

Mandaree School District is an at will employer which means that it will be at the sole discretion of Mandaree School District to utilize the procedures described above. Employees and the Mandaree School are engaged in an at-will employment relationship. Either party is free to terminate the relationship at any time, with or without reason/notice. The Mandaree School is not bound by any oral promises concerning an employee's length of employment. This Handbook serves as a guideline for employees. It shall not be construed to form a contract between Mandaree School and its employees. The Mandaree School reserves the unilateral right to change the handbook at any time.

SECTION 9: GRIEVANCE PROCEDURE:

A. A grievance is a claim based upon an event or condition which affects the conditions of circumstances under which an employee works.

B. Grievance steps are as follows:

Step 1: Within one (1) working day, the grievant shall submit their grievance in writing to the Department Head. The Department Head shall have two (2) days to respond, in writing. If the response is not satisfactory to the grievant they shall have two (2) days to exercise Step 2.

Step 2: The grievant shall submit, in writing their grievance, along with the response of the Department Head to the Superintendent who will have two (2) days to respond, in writing, to the grievant. If the Superintendent's response is not satisfactory, the grievant shall have two (2) days to exercise Step 3.

Step 3: The grievant shall submit in writing, their grievance to the Business Manager of the school district, along with the written response of the Department Head and Superintendent, for review and the ultimate decision of the School Board. The School Board shall upon notification by the Business Manager initiate Step 4.

Step 4: The School Board shall have seven (7) days in which to conduct a hearing relative to the grievance. Upon hearing the grievance, the School Board shall have three (3) days in which to consider a final decision.

C. Any non-certified employee who wishes to take advantage of this grievance procedure shall be expected to do so during unassigned time or after school.

D. Copies of the grievance proceeding shall not become part of any non-certified personnel file.

SECTION 10: PERSONNEL RECORDS:

Personnel information, appointments, promotions, evaluation, and personnel action records will be maintained in the Mandaree School's Business Office by the Personnel Manager. All information in these files will be kept on a confidential basis.

All time and attendance records will be maintained in the Mandaree School's Business Office, but these will be separate and apart from the personnel folders and files.

SECTION 11: PERFORMANCE EVALUATION:

Department Heads will establish performance standards or elements which will correspond to the position description.

SECTION 12: MANDATORY REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT

All school employees are mandated reporters of suspected child abuse or neglect.

CHILD PROTECTION

- Protect the health and welfare of children by encouraging the [reporting](#) of children who are known to be or suspected of being abused or neglected
- Provide adequate services for the protection and treatment of abused and neglected children and to protect them from further harm
- Identify the cause of children's deaths, where possible; (4) Identify those circumstances that contribute to children's deaths; and the recommending of changes in policy, practices, and law to prevent children's deaths)
- The law governing child protection services is NDCC 50-25.1 and the Indian Child Welfare Act.

Mandated Reporters

Professionals having knowledge of or reasonable cause to suspect that a child is abused or neglected, or has died as a result of abuse or neglect, must make a report of the circumstances.

Those professionals required to report are any:

- physician, nurse, dentist, optometrist, medical examiner, coroner, or any other medical professional;
- mental health professional;
- religious practitioner of the healing arts;
- school teacher or administrator, school counselor; any school employee
- addiction counselor;
- social worker;
- day care center or any other child care worker;
- police or law enforcement officer;
- member of the clergy;
- Any person having reasonable cause to suspect that a child is abused or neglected, or has died as a result of abuse or neglect, may report such circumstances

Reporting Suspected Child Abuse or Neglect

A person mandated to report, or any person wanting to report suspected child abuse or neglect, will contact the appropriate Social Service agency based on county of residence and student ethnicity. Tribal Social Services 627-8100; Mountrail County Social Services 628-2924; McKenzie County Social Services 444-3661; Dunn County Social Services 764-5385.

- Reports of suspected child abuse or neglect will be submitted in writing to document the incident;
- The Suspected Child Abuse/Neglect (SCAN) form is available in the front office and the Orientation Binder.
- Submit to the Home/School Liaison or designee

What Happens After a Report is Received by Child Protection Service Staff?

When the social service office receives a report of suspected child abuse or neglect the following occurs:

- Analysis of the information in the report to determine what actions to take for an assessment
- Assessment of the concerns in the report to find the facts
- Decision about whether services are required for the protection and treatment of an abused or neglected child

- Referral to juvenile court for review if services are determined to be required
- Provision of protective services to the family such as parenting education, counseling, supporting services, foster care, etc.

Employee Incident Reports

Employee Incident Reports are filed when there is a report of discourteous conduct involving a student by an employee including:

- ❖ Using inappropriate language
- ❖ Making inappropriate comments of a non-sexual manner
- ❖ Calling names insulting or humiliating to a child
- ❖ Shouting, cursing
- ❖ Rude, boisterous play that adversely affect production, discipline, or morale of a student
- ❖ Use of abusive, demeaning, degrading or insulting language
- ❖ Quarreling or inciting a quarrel

SECTION 13: CELL PHONE USE

Cell phone use will be limited to time when no students are present. All cell phone sound is to be turned off during the school day (silent mode).

APPENDIX

IAAA-E2	Asbestos Hazard Emergency Response Act Notification Form
AAC:	Nondiscrimination & Anti-Harassment Policy (Available on Request due to size of document)
AAC-BR:	Discrimination & Harassment Grievance Procedure (Available on Request due to size of document)
DDA:	Sick Leave
AR- DDA	Use of Leave Procedures
DDA-AR	Graphic on How to Use Leave
DDBA:	Vacations
DDBA – AR:	Vacations
DDBB:	Holidays
DDBC:	Bereavement Leave
DDBD:	Military Leave
AR:	Leave – Educational Leave
DDC:	Unpaid Leave
DDCA:	Political Activities & Leave
DE:	Staff Conduct
DEAB:	Staff Attendance
DEAD:	Staff Use of Electronic Devices
DEBA:	Confidentiality
DEBF:	Employee Speech
DKBA:	Separation of At-Will Employees
ACDB:	Video Surveillance & Recording in Schools (Available on Request due to size of document)
Time Clock and Pay Procedures	

ASBESTOS HAZARD EMERGENCY RESPONSE ACT
(AHERA)
YEARLY NOTIFICATION FORM

Dear Parents, Teachers, Building Occupants, and Employee Organizations:

In the past, asbestos was used extensively in building materials because of its insulating, sound absorbing, and fire retarding capabilities. Virtually any building constructed before the late 1970s contained some asbestos. Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. If the fibers are inhaled, they can lead to health problems, such as cancer and asbestosis.

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA), which requires schools to be inspected to identify any asbestos containing building materials. Suspected asbestos-containing building materials are located, Sampled and rated according to condition and potential hazard. Every three years, Mandaree Public School District has conducted a re-inspection to determine whether the condition of the known or assumed asbestos containing building materials (ACBM) has changed and to make recommendations on managing or removing the ACBM. At the last re-inspection conducted on August 26, 2010, all materials listed in the Management plan as asbestos containing (or assumed to be asbestos-containing) were inspected and found to be in good condition.

The law further requires an asbestos management plan to be in place by July 1989. Mandaree Public School District developed a plan, as required, which has been continually updated. The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The following buildings contain no asbestos-containing building materials; therefore, no operations and maintenance programs or future inspections are required: K-3 Elementary Wing. During the past year, asbestos containing building materials have been removed, encapsulated, or enclosed in the following buildings: Vocational Building, Building #225 (4-8 wing and high school wing). During the next year, we plan to conduct the following asbestos related activities at the following school buildings: maintain safe containment of asbestos containing building materials.

It is the intention of Mandaree Public School District to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan in school district administrative office or administrative office of the school during regular business hours. Facilities Manager is our designated asbestos program coordinator, and all inquiries regarding the asbestos and asbestos-related issues should be directed to Facilities Manager 701-759-3311 ext. 308.

AAC: Nondiscrimination & Anti-Harassment Policy (5 Pages)
AAC-BR: Discrimination and Harassment Grievance Procedure (4 Pages)
Please request these documents for filing complaints.

Rotating sick and personal leave to avoid the required medical certification for more than one day for hourly employees is not allowed. If an hourly employee is using sick leave for more than one day medical certification is needed.

DDA.

SICK LEAVE

Instructional Staff

The amount of sick leave for teachers is covered by the negotiated agreement. The negotiated agreement also addresses the amount of sick leave that teachers can carry over from one school year to the next. Administration may require teachers to provide valid medical certification if taking sick leave for more than two consecutive days.

Classified Staff

The amount of sick leave for classified (support) staff shall be approved by the Board and listed in the classified staff handbook. The handbook should also address the amount of sick leave that classified staff can carry over from one work year to the next. Administration may require classified staff to provide valid medical certification if taking sick leave for more than one consecutive work day.

Reasons for Sick Leave

Instructional and classified staff may only take sick leave for their own or immediate family member's injury, disability, or other personal medical reasons. Pregnancy disability shall be treated the same as any other disability for the purpose of sick leave and is subject to the limitations of this policy.

Requesting Sick Leave

Requests for sick leave must include the nature of the disability and must be submitted to the Business Manager within the pay period that the illness occurred. In addition to this requirement, the Superintendent may establish a notification protocol that employees will be required to follow in the event of illness or injury.

Long-Term Sick Leave

Leave for a serious health condition will be granted in accordance with district's FMLA policy.

General Provisions

Failure to comply with this policy and any regulations concerning sick leave may result in the department head denying a sick leave request.

While the negotiated agreement contains a provision for buying down sick leave, such leave will not be paid out to employees upon separation from district employment.

Emergency Leave Sell Back by Instructional Staff

Instructional staff will be allowed to sell back accumulated leave that has been carried over from a previous work year at any time. Current year sick leave is not eligible for sell back until the end of the school year.

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- Complementary Documents
 - DDA-BR, Sick Leave Regulations
 - DDA, Family & Medical Leave Act
 - DDAA-BR, Family & Medical Leave Act Regulations
 - DDAA-E, Family & Medical Leave Act Law

AR – DDA Use of Leave Procedures

Every employee is essential when it comes to providing the best possible services to students. When an employee misses a shift someone less experienced with the day to day procedures tries to fill the position but something is always over-looked or does not get completed.

In the instance of a teacher who misses a student instructional day research has found that for every day missed it is equal to 2 days of lost instruction. This impact on student achievement cannot be overlooked. Absences are unavoidable at times because of illness and the essential services we all need that are only offered during the school day. We can minimize the impact on student services by making appointments at the end of the work day so it is a half-day absent rather than a full day. We can schedule appointments and take care of business on non-student contact days such as the day after Thanksgiving, winter break, summer break, etc.

When an employee does not report to work when scheduled the following procedures will apply.

If an employee has a pre-planned absence he/she will:

1. Submit a Leave Slip for prior approval to their immediate supervisor.
2. Make arrangements to assist with coverage of job duties when possible.
 - a. Teachers: Make arrangements for coverage of your playground or hall duty. Ensure that your “Sub Tub” has all the resources needed for your substitute.
 - b. Non-certified staff: Make a “Things to Do” list of reminders for your substitute when possible.
3. Supervisors are to notify the front office secretary of any absent employees from their department.
4. Supervisors are to notify the Superintendent of any absent employees from their department.

If an employee has an un-planned absence he/she will:

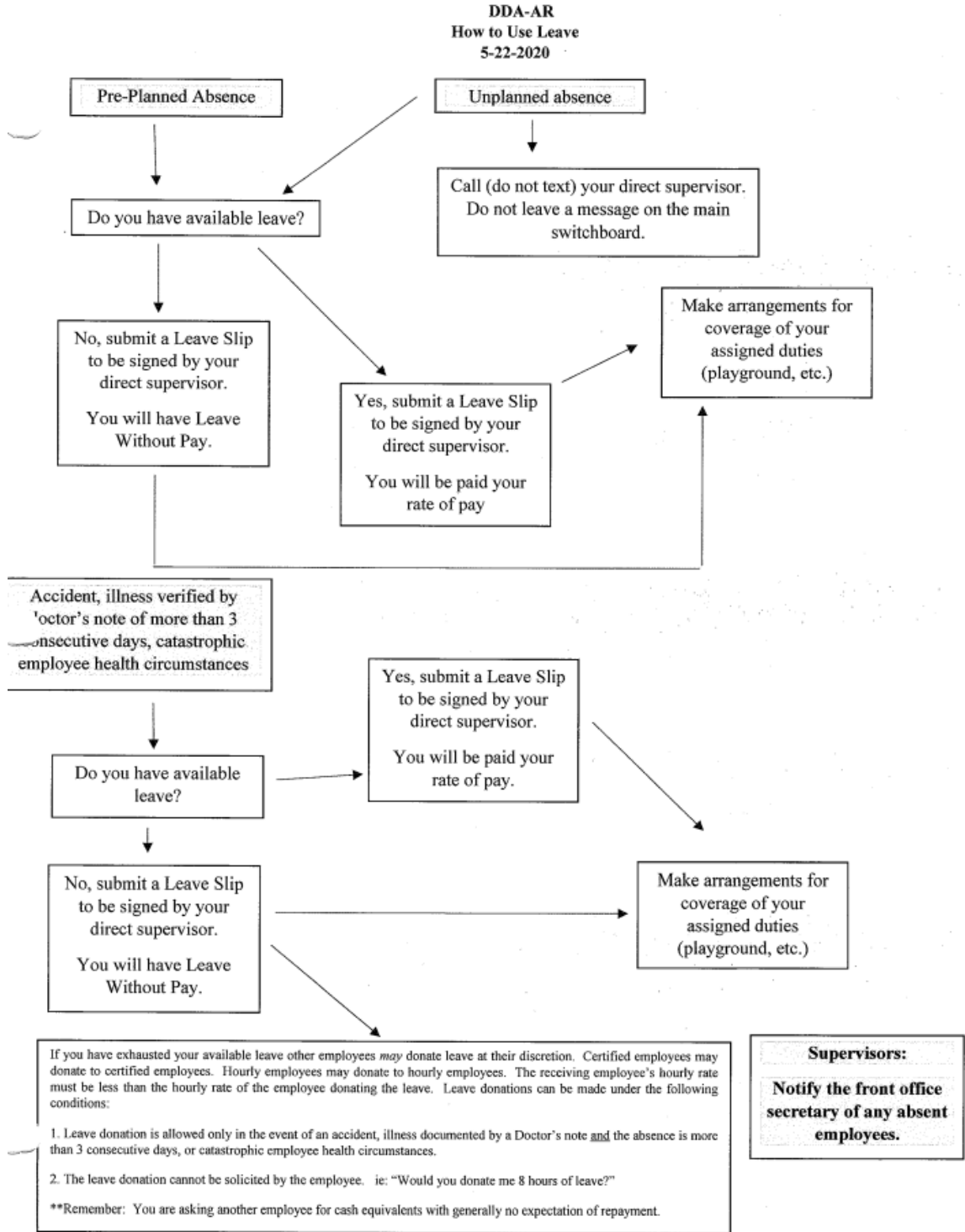
1. Call their immediate supervisor at least one hour prior to the start of the work day. Work day is defined as the employees regularly scheduled work schedule.
 - a. Due to the unreliable nature of cell phone service text messages WILL NOT be accepted as notification of an absence. They will be considered a “NO CALL – NO SHOW.” If you cannot reach your immediate supervisor you are to call the Superintendent or K-8 Principal. If your immediate supervisor is the Superintendent or K-8 Principal you will need to ensure that your call is received by one of them.
 - b. Messages left on the main switchboard WILL NOT be accepted as notification of an absence.
 - c. Messages left with secretaries or other employees WILL NOT be accepted as notification of an absence.
2. Notify your supervisor of immediate concerns of the day. Such as: a report that must be completed, extra duties that need to be covered, etc.
3. Supervisors are to notify the front office secretary of any absent employees from their department.
4. Supervisors are to notify the Superintendent of any absent employees from their department.
5. A Leave Slip will be completed by the immediate supervisor and put in the employee’s mailbox.
6. The employee **MUST** sign and date the Leave Slip **on the day he/she returns to work and indicate the type of leave to be taken.**
7. Make sure you have enough leave to cover your absence.

If an employee has to leave the building/work station after the work day begins the employee will:

1. Notify their immediate supervisor.
 - a. Due to the unreliable nature of cell service text messages WILL NOT be accepted as notification of the need to leave the building/work station. If you cannot reach your immediate supervisor you are to notify the Superintendent or K-8 Principal.
 - b. Messages left on the main switchboard WILL NOT be accepted as notification of an absence.
 - c. Messages with secretaries or other employees WILL NOT be accepted as notification of an absence.

2. Supervisors are to notify the front office secretary of any absent employees from their department.
3. Supervisors are to notify the Superintendent of any absent employees from their department.
4. A Leave Slip will be completed by the immediate supervisor and put in the employee's mailbox.
5. The employee MUST sign and date the Leave Slip **on the day he/she returns to work.**

*****In the event of an emergency if you are supervising students you MUST NOT leave them unsupervised. Get assistance from the office, a neighboring classroom, or any other employee. If you are asked to provide supervision for students by another employee you are to supervise students until the office can be notified.*****



RECOMMENDED

DDBA: VACATIONS

Classified Employees

All full-time employees working 8 hours per day on a 40 hours per week basis are entitled to vacation (annual) leave. This is credited on a basis of hours worked per pay period and continuous years of district service. Specific vacation accrual standards shall be approved by the Board and placed in the support staff handbook.

Classified employees earn vacation leave from the date of employment but no vacation leave shall be taken until completion of 60 work days. At the end of the work year, classified employees may carry over a maximum of 24 hours to the next work year.

Instructional Staff

The amount of vacation (i.e., personal leave) is subject to the negotiated agreement for instructional staff. Unless administration grants an exception for good cause, instructional staff may not:

- 1 . Use vacation leave for the first three weeks of the school year or the last three weeks of the school year;
- 2. Use vacation leave for the workday immediately following a school vacation, holiday, or district travel.
- 3. Take personal leave if two other teachers have requested and received approval to take vacation leave during that same period.

Personal Leave carryover is determined by the Negotiated Agreement.

Requesting Leave

Instructional staff must submit a vacation request form to the Superintendent at least five days prior to the requested start date of the leave. Classified staff must submit a vacation request form to the Superintendent at least two days prior .to the requested start date of the leave. Approval of a vacation leave request is at the sole discretion of the Superintendent.

Separation of Instructional Staff

Upon separation from district employment, any employee granted paid vacation time shall be entitled to prorated monetary reimbursement for unused vacation days for which they are eligible as required by law.

Separation of Classified staff

Upon separation from district employment, any employee granted paid vacation time shall be entitled to reimbursement for unused vacation days for which they are eligible as required by law.

DDBA-AR Vacations

Licensed/Contracted Employees

The Negotiated Agreement dictates the amount of sick leave and personal leave that a licensed teacher receives on an annual basis. Sell back is determined by the Negotiated Agreement. A licensed teacher may sell back Sick Leave at the negotiated amount. A licensed teacher may not sell back personal/vacation leave. Carry over personal/vacation leave is determined by the Negotiated Agreement.

Hourly Employees

The rate of sick and personal/annual leave accrual is determined by the Non-Certified Personnel Policies and Procedures Handbook. An hourly employee carries over sick leave. An hourly employee may carry over a maximum of 24 hours of personal/vacation leave. An hourly employee may sell back personal/vacation leave at their hourly rate dependent on the budget.

DDBB: HOLIDAYS

All personnel will be paid for the holidays set by state law that fall within the time of their work year and that fall on a day(s) that they would otherwise be scheduled to work.
End of Mandaree School District #36 Policy DDBBAdopted: 02/21/12

DDBC: BEREAVEMENT LEAVE

Instructional Staff

The amount of bereavement leave is subject to the negotiated agreement for licensed staff.

Classified Staff

Bereavement leave without loss of pay, up to but not exceeding four days (32 hours) per work year, may be granted to classified staff. Classified staff may also be granted up to two days (16) hours if serving as a pallbearer in a funeral.

Reasons for Bereavement Leave

Instructional and classified staff may only take bereavement leave in the event of death in the immediate family. For the purpose of this policy, immediate family is defined as spouse, parents, spouse's parents, children, grandparents, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, or stepparents/children/siblings.

Other Provisions

Bereavement leave is not accumulative for instructional or classified staff.

Bereavement leave must be requested and approved in accordance with procedures established by the Superintendent in order to receive pay for such leave. Such procedures shall be detailed in employee handbooks.

Complementary Documents • DDBC-BR, Bereavement Leave Regulations

DDBD: MILITARY LEAVE

Military leave shall be granted pursuant to current state (NDCC 37-01-25 and NDCC 37-01-25. 1) and federal law (38 U.S.C. 43). End of Mandaree School District #36 PolicyAdopted: 02/21/12

AR: Leave

Educational Leave

The Mandaree School supports the educational endeavors of hourly employees. Non-Certified hourly employees will be granted four (4) hours of educational leave per week for four (4) semesters.

Reaffirmed: November 13, 2019

DDC: UNPAID LEAVE

Other than as specified in board policy or the negotiated agreement, no leaves shall be granted to instructional staff without specific approval of the Board. Such approval shall be at the sole discretion of the Board. Teaching staff on leave for any purpose remain subject the district's reduction-in-force policy. The Superintendent is authorized to grant unpaid leave to classified staff once other applicable leaves have been exhausted.

General provisions

A request by instructional and classified staff to take unpaid leave must be accompanied by an unpaid leave request form. Failure by the employee to submit this form within a reasonable time, as determined by administration, shall be deemed to be an unauthorized absence. The District will take disciplinary action against employees who take unauthorized absences.

Complementary Documents

- DKA, Reduction-in-Force Policy
- End of Mandaree School District #36 Policy DDC.....Adopted: 03/13/12

DDCA: POLITICAL ACTIVITIES & LEAVE

The Board recognizes that employees have certain civic rights, including the right to vote, the right to be an active member of a political party of his/her choice, the right to campaign for candidates for election to public office, and the right to seek, campaign for, and serve in public office.

Political Leave

Political leave may be granted in accordance with board regulations. Any licensed employee who has been granted political leave shall be subject to district reduction-in-force policy the same as if the employee were not on leave.

Political Activities

School property and school time shall not be used for political purposes, nor shall any employee use on-duty hours to pursue political activities. Use of the school delivery systems for distributing campaign literature for or against any candidate is prohibited. Employees will refrain from exploiting the privilege of their positions. Classroom teachers and administrators shall not exploit students in any way for political purposes. Employees shall observe state laws prohibiting political activities by public employees and shall not misrepresent their political views as those of the District.

Nothing in this policy shall prevent:

1. The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies.
2. The conducting of student and employee organization elections and campaigning connected therewith.

Complementary Documents

- DDCA-BR, Political Leave Regulations ● GBA, Academic Freedom
- End of Mandaree School District #36 Policy DDCA.....Adopted: 02121112

STAFF CONDUCT

All staff members have a responsibility to make themselves familiar with, and abide by, the laws of the state as these affect their work, the policies of the Board, and the regulations designed to implement them.

Since the realization of district goals is dependent upon the professional behavior of all staff, the following specific responsibilities will be required:

1. To conduct oneself professionally whenever serving in his/her official capacity as a school district employee.
2. Faithfulness and promptness in attendance at work.
3. Support and enforcement of policies of the board and regulations of the school administration.
4. Diligence and honesty in submitting required reports/records/forms at the time specified.
5. Diligence in performing assigned duties.
6. Commitment to work in harmony with district staff to carry out assigned duties.
7. Willingness to follow the chain of command.
8. Care and protection of school property.
9. Concern and attention for their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under proper supervision at all times.
10. Licensed Staff

Licensed staff shall adhere to professional conduct standards developed by the Education Standards and Practices Board and, in the case of school administrators, the Administrator's Professional Practices Board.

End of Mandaree School District #36 Policy DE _____ Adopted 06/10/14

STAFF ATTENDANCE

Regular attendance is required of all employee's subject to applicable leave provisions and, for instructional staff, the negotiated agreement. Excessive absences or tardiness as defined in board, unauthorized leave, or unexcused absences may result in disciplinary action including termination of employment

End of Mandaree School District #36 Policy DEAB... .. Adopted:04/10/12

STAFF USE OF ELECTRONIC DEVICES

Definition of the purpose of this policy:

- An electronic device includes, but is not limited to, cell phones, pagers/beepers, laptops, and/or any other technology that transmits a signal.

Personal Electronic Devices

District employees are prohibited for using personal (i.e., employee owned) electronic devices while on duty. An exception to this prohibition exists when the employee is in attendance as an active member of a volunteer firefighting organization or a volunteer emergency medical service organization. The Superintendent may develop additional exceptions to this prohibition in administrative regulations.

District-Owned Electronic Devices

The above prohibition does not apply to authorized employee use of district-owned electronic devices. Employees have no expectation of privacy when using district-owned electronic devices and the District reserves the right to review any communication sent or received on district-owned electronic devices. 1 1. Employees shall agree to abide by the rules established under with policy and the acceptable use policy as a condition of using district-owned electronic devices.

General Prohibitions

Possession and/or use of any electronic device in an area where there is a reasonable expectation of privacy are strictly prohibited. Inappropriate use of any electronic devices by staff is subject to disciplinary action up to and including, but not limited to, revocation of the privileges granted in this policy, dismissal, and referral to law enforcement officials, as appropriate in accordance with law. Inappropriate use shall be determined by school administration and includes, but is not limited to, violations of the prohibitions

established by this policy and by the acceptable use policy.

Use of Electronic Devices While Driving

All employees are prohibited from conducting district business through the use of electronic devices while driving. School bus/vehicle drivers are prohibited from operating a bus/vehicle while using an electronic device. These prohibitions do not apply to the use of cellular phones in the following instances:

1. During an emergency situation;
2. To call for assistance related to the mechanical problems or breakdown.

In such instances, the driver shall only use a cellular phone if the bus/vehicle is parked unless the nature of the emergency situation prohibits this.

The prohibitions under this section do not apply to use of a fleet management system or dispatching device.

Emergency Use

Staff members are encouraged to use any available communication device in the event of an emergency that threatens the safety of students, staff, or other individuals.

End of Mandaree School District #36 Policy DEAD.....Adopted: 6/10/14

DEBA

CONFIDENTIALITY

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

Federal Requirements

District employees and service providers must follow confidentiality requirements under the Family Education Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA). Information considered harmful, an invasion of privacy, or that is personally identifiable information shall not be released without appropriate consent and then only by the Superintendent. Before disseminating directory information, employees and service providers shall consult with administration to ensure the information is directory information and that it does not contain information about students who have opted out of directory information dissemination.

Violations

Employees that violate this policy may be subject to disciplinary action up to and including termination of employment in accordance with district policy and law.

Complementary Documents

- **DI, Personnel Records**

- FGA, Student Education Records Access & Amendment Procedure
- FGA-E, Notice of Directory Informa04/1 9/1 1

DEBF

EMPLOYEE SPEECH

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

Speech Made as an Employee

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

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

Speech Made as a Private Citizen

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

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

Other Provisions

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

RECOMMENDED

Descriptor Code: DKBA

SEPARATION OF AT-WILL EMPLOYEES

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

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

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

End of Mandaree School District #36 Policy DKBA.....Adopted: 08/09/11

ACDB: Video Surveillance and Recording in Schools

This policy gives notice that cameras are used throughout the building. Request the policy if you wish a copy.

Time Clock and Pay Procedures

The following procedures will apply to ensure payroll week is completed in a timely and efficient manner. These are not “new” procedures. We have just become lax in their application. Audit findings on procedures require us to apply the procedures more consistently.

When employees do not follow the procedures it will jeopardize their payroll check. If the employee does not review, sign, submit Leave Slips, etc. their payroll check will not be run and he/she will have to wait two (2) weeks for the next payroll cycle.

The payroll process should flow smoothly. The timeline will be:

Friday preceding payroll week: Time cards will be run and Leave Slips attached.

Monday of payroll week: All employees will review their time card, sign, and return it to the time clock manager.

Tuesday of payroll week: Department supervisors review time cards, sign, and return them to the time clock manager.

Wednesday of payroll week: Superintendent reviews time cards, sign, and submit the complete file to the Business Manager for payroll.

Time Clock Manager Responsibilities:

1. Time cards will be run on the Friday preceding a payroll week.
2. Attach Leave Slips on file for the pay period.
3. Distribute time cards to employees for review.
4. After the employee verifies the hours worked:
 - a. If corrections/edits are needed the employee must initial all corrections.
 - b. Make corrections/edits and re-print the time card.
5. When the time card is correct:
 - a. Attach all pertinent Leave Slips.
 - b. Employee must sign their time card.
 - c. An employee’s designee may sign the time card if the employee is on medical leave or school district travel.
6. Give all completed time cards to the department supervisors for review and signatures.
7. Give the complete time card file to the superintendent for final review.

Employee Responsibilities:

1. When you receive your time card from the time clock manager you are to review your time card for accuracy.
2. Be sure all of your pertinent Leave Slips are attached if you are going to use sick or annual leave.
3. Make any edits/corrections and initial them and return to the time clock manager.
 - a. If edits/corrections are not made you will have to wait for the next pay cycle to claim hours for payment.
4. If there are no edits/corrections sign the time card and return to the time clock manager.
5. You may call your department supervisor and let them sign your time card **ONLY** if you are on medical leave or school district travel.
6. Failure to follow these procedures will result in no payroll check being issued for that pay cycle. You will have to wait for the next pay cycle to get paid.

Department Supervisor Responsibilities:

1. Ensure that all Leave Slips have been submitted when an employee is absent.
2. When the time cards for your employees are given to you review them for accuracy.
 - a. Make any edits/corrections needed and review them with the employee.
 - b. If a time card needs to be re-run take it to the time clock manager.
3. You may sign an employee’s time card if he/she is on medical leave or school district travel.
4. Return the time card file to the time clock manager.

**MANDAREE SCHOOL
NON-CERTIFIED PERSONNEL
POLICIES & PROCEDURES HANDBOOK**

SCHOOL BOARD APPROVED: July 21, 2022

I certify that I have read and understand the Non-Certified Personnel Policies & Procedures Handbook in its entirety.

I understand the procedures outlined in DDA – AR: Use of Leave Procedures and Time Clock and Pay Procedures and that failure to follow these procedures will impact my paycheck.

Employee Signature

Date