

SUPPORT STAFF MEMBERS  
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## R 4000 SUPPORT STAFF MEMBERS

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R 4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

A. Evaluations

1. Each nontenured support staff member shall be evaluated at least one time each school year.
2. Evaluations shall set forth both the strengths and weaknesses of the nontenured support staff member in order to provide an accurate assessment of his/her performance and to encourage the improvement of that performance.
3. Supervisors shall constructively point out performance deficiencies and offer assistance to nontenured support staff members in the improvement of professional skills.

B. Nonrenewal Recommendation

1. When a nontenured support staff member's performance does not meet the standards of the district, the support staff member's immediate supervisor shall recommend to the Superintendent, no later than April 1, that the support staff member should not be reemployed in the following school year.
2. The nontenured support staff member shall be informed by the Superintendent, in writing, that employment for the next succeeding school year will not be offered. This written notice shall be provided to the nontenured support staff member in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties.
3. A recommendation by the Superintendent for nonrenewal may be based upon the nontenured support staff member's evaluations, job performance, or any factor affecting his/her employment in this district.
4. A nontenured support staff member contract can only be renewed upon the Superintendent's recommendation and a majority vote of the full Board. The Board may not withhold its approval for arbitrary and capricious reasons.



C. Nonrenewal Action

1. The Superintendent will notify the Board members of the recommendation not to renew a nontenured support staff member's contract before notifying the support staff member of the recommendation to not renew. The Superintendent may notify the Board members of the recommendation not to renew the nontenured support staff member's contract and the reasons for the recommendation in a written notice to the Board. In the alternative, the Superintendent may notify the Board members of the recommendation not to renew a nontenured support staff member in executive session. Using this option, the Board will meet in executive session to review the Superintendent's recommendation(s) for nonrenewal of nontenured support staff members. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight hours in advance of the meeting, to those nontenured support staff members whose possible nonrenewal will be discussed at the meeting. If any such employee requests the discussion take place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation and will be scheduled for discussion at a public meeting.
2. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member's contract.

D. Notice of Nonrenewal

1. Notice of the Superintendent's decision not to renew shall be given to each nontenured support staff member not recommended for renewal in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. The Board may delegate the Superintendent or the Board Secretary to give the written notice of nonrenewal.
2. The nonrenewal notice shall be in writing and provided to the nontenured support staff member not recommended for renewal in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured support staff member's address of record.



E. Request for Statement of Reasons

1. A nonrenewed support staff member will be given a written statement of the reasons for which he/she was not renewed provided the support staff member's request for a statement of reasons has been received by the Superintendent within fifteen calendar days after the support staff member has received written notice of his/her nonrenewal.
2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the employee's evaluations and the employee has been given a copy of those evaluations, the statement of reasons may incorporate the evaluations by reference.
3. The statement of reasons may be prepared by the Superintendent or the Board Secretary and shall be delivered to the employee who requested it within thirty calendar days after the receipt of the employee's request.

F. Nonrenewal Appearance

1. A support staff member who has requested a statement of reasons for his/her nonrenewal will be granted an informal appearance before the Board to discuss those reasons, provided that he/she had submitted to the Superintendent a written request for such an appearance no later than ten calendar days after the support staff member's receipt of the written statement of reasons.
2. A date for the informal appearance shall be scheduled within thirty calendar days from the support staff member's receipt of the Board's statement of reasons. The appearance shall be conducted at an executive session for which notice has been given in accordance with N.J.S.A. 10:4-13. The Board will determine a reasonable length of time to be devoted to the appearance, depending upon each instance's specific circumstances. The proceeding of an informal appearance before the Board may be conducted pursuant to N.J.A.C. 10:4-12(b)(8).
3. The support staff member requesting the appearance shall be given written notice, no later than forty-eight hours in advance of the meeting at which it is scheduled, of the date, time, place, and duration of the appearance.



4. The purpose of the appearance shall be to permit the nonrenewed support staff member to convince the members of the Board to offer reemployment. To those ends, the appearance shall be informally conducted. This appearance provides a mechanism by which the nontenured support staff member, whose renewal has not been recommended by the Superintendent, can appeal to the Board, on which the Superintendent sits as a non-voting member pursuant to N.J.S.A. 18A:17-20. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding and the appearance shall not be an adversary proceeding.
  5. The support staff member may be represented by an attorney or by one individual of his/her choosing. He/She may present witnesses to testify on his/her behalf. Witnesses do not need to present testimony under oath, and their statements may be recorded. The Board will hear witnesses and shall not cross-examine them. Witnesses will be called into the meeting to address the Board one at a time and shall be excused from the meeting after making their statements.
- G. Final Determination
1. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member. However, after an informal appearance before the Board, the Superintendent may make a recommendation for reemployment to the voting members of the Board. The voting members of the Board, by a majority vote of the full Board in public session, must approve the reemployment based on the Superintendent's recommendation.
  2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured support staff member reemployment after the informal appearance before the Board.
  3. The final determination will be delivered to the nontenured support staff member, in writing, no later than three days following the informal appearance. The Board may delegate the Superintendent or the Board Secretary to deliver the final determination.

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## R 4218 SUBSTANCE ABUSE

### A. Definition

1. “Substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
2. “Substance test” means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
3. “Support staff member’s supervisor” or “supervisor” means the building or district administrative staff member who is responsible for supervising the support staff member. For the purposes of this Policy and Regulation, the support staff member’s supervisor shall be the support staff member’s Principal, School Business Administrator/Board Secretary, district Director or Supervisor, or any other administrative staff member designated by the Superintendent.
4. “Under the influence” means the presence of a substance as defined in Policy 4218 and this Regulation as confirmed in a medical examination and substance test.

### B. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours.
  - a. The support staff member’s supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours will:
    - (1) Immediately notify the Superintendent;



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- (2) Immediately meet with the support staff member;
  - (a) The support staff member's supervisor may include another staff member in this meeting; and
  - (b) The support staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The support staff member's supervisor shall present to the support staff member the report or information supporting the suspicion the support staff member may be under the influence of a substance.
- c. The support staff member shall be provided an opportunity to respond to the report or information presented by the supervisor.
- d. In the event the supervisor or designee believes the support staff member may be under the influence of a substance after meeting with the support staff member, the supervisor will arrange for an immediate medical examination to include a substance test.
- e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
- f. The support staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.
- g. The support staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
- h. A support staff member's refusal to be examined or tested in accordance with the provisions of Policy 4218 and this Regulation will be deemed as a positive test for substances.



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2. The medical examination and substance test shall be used by the physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the support staff member as soon as the test results are available.
4. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was not under the influence of a substance during work hours, the physician will notify the Superintendent of such results and the support staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the support staff member's personnel file.
5. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours, the physician will:
  - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the physician's determination.
  - b. Provide the support staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
    - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
    - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
    - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the support staff member shall be determined to have waived their





right to have a confirming substance test considered by the physician.

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- c. After completing the requirements in a. and b. above the physician shall make a final determination whether the support staff member was under the influence of a substance during the work hours.
  - (1) If the physician makes a final determination the support staff member was not under the influence during work hours, the physician will report these results to the Superintendent and the support staff member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the support staff member's personnel file.
  - (2) If the physician makes a final determination the support staff member was under the influence during work hours, the physician will report these results to the Superintendent and the support staff member will be required to meet with the Superintendent.

C. Procedures to be Followed When a Support Staff Member is Determined to be Under the Influence of a Substance

1. Any support staff member who has been determined by the physician to be under the influence of a substance during work hours shall be required to meet with the Superintendent.
  - a. The support staff member may include a staff member or a representative of their choice in this meeting.
2. The Superintendent will provide the support staff member an opportunity to respond to the physician's determination.
3. A support staff member who has been determined to have been under the influence of a substance during work hours will be subject to appropriate discipline which may include termination of or the filing of tenure charges for a tenured support staff member

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## R 4230 OUTSIDE ACTIVITIES

### A. Outside Employment

1. A full-time employee may engage in outside employment when such employment does not:
  - a. Constitute a conflict of interest;
  - b. Violate the New Jersey School Ethics Act; or
  - c. Occur at a time when the employee has assigned district duties and responsibilities.
2. A full-time employee who engages in employment outside the district shall report that employment to the Superintendent only if the outside employment may require any type of accommodation by the school district or if the outside employment would require the staff member to not perform or limit the staff member's ability to perform all the responsibilities of their school district employment.

### B. Private Enterprise, Business, or Business Organization

1. An employee shall not conduct activities on school district grounds that may advance a private enterprise, business, or business organization without the express permission of the Superintendent. Permission will not be given for solicitations or collections on behalf of a private enterprise, business, or business organization.
2. An employee shall not, on school grounds, solicit students for trips other than those expressly approved by the Board or Superintendent without permission of the Superintendent. School grounds shall not be used as the point of departure or arrival for any such privately arranged activity.

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## R 4233 POLITICAL ACTIVITIES

### A. Prohibited Activities

The following political activities are prohibited on school district premises:

1. Posting of political circulars or petitions on bulletin boards that are not sponsored by the school and included as part of the school curriculum and/or program;
2. Distribution to employees, whether by placing in their school mailboxes or otherwise, of political circulars or petitions, except as delivered by the U.S. Postal Service;
3. Collection of and solicitation for campaign funds;
4. Solicitation for campaign workers;
5. Use of students for writing or addressing political materials or the distribution of such materials to or by students;
6. Display of any materials that promote the candidacy of any candidate for office by a person working on an election day in a district facility used on election day as a polling place; and
7. Any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

### B. Permitted Activities

The conduct of employee elections and any campaigning connected with those elections is permitted on school premises.

- C. Nothing in this Regulation shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or student.

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# REGULATION

ENGLEWOOD  
BOARD OF EDUCATION



## R 4352 SEXUAL HARASSMENT OF SUPPORT STAFF MEMBERS COMPLAINT PROCEDURE

Sexual harassment of school staff members is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of school staff members.

### A. Definitions

1. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
2. Hostile Environment Sexual Harassment - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal or physical conduct of a sexual nature) by a school staff member that is sufficiently severe, persistent, or pervasive to limit another staff member's ability to participate in a workplace environment or activity, or to create a hostile or abusive workplace environment.
3. Quid Pro Quo Harassment - When a school staff member explicitly or implicitly conditions another school staff member's conditions of employment on the staff member's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the staff member resists and suffers the threatened harm or submits and thus avoids the threatened harm.

### B. Grievance Procedure

The following Grievance Procedure shall be used for an allegation(s) of harassment of school staff members by other school staff members:

1. Reporting of Sexual Harassment Conduct
  - a. Any person with any information regarding actual and/or potential sexual harassment of a staff member must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.



- b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or telephone call.
  - c. A report to the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
  - d. In the event the report alleges conduct by the Building Principal or the Affirmative Action Officer, the Superintendent will designate a school official to assume the Building Principal's or Affirmative Action Officer's responsibilities, as outlined in Policy No. 4352 and this Regulation.
2. Affirmative Action Officer's Investigation
- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
  - b. When a school staff member provides information or complains about sexual harassment, the Affirmative Action Officer will initially discuss what actions the staff member is seeking in response to the harassment.
  - c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any staff member(s) who may have been sexually harassed in the past by the school staff member and any other reasonable methods to determine if sexual harassment conduct existed.
  - d. The Affirmative Action Officer may request a staff member involved in the investigation to assist in the investigation.



- e. The Affirmative Action Officer will provide a copy of Board Policy and Regulation No. 4352 to all persons who are interviewed with potential knowledge, upon request, and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
  - f. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
  - g. The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if there is potential criminal conduct by any party.
  - h. The school district administration may take interim measures during an Affirmative Action Officer's investigation of a complaint.
  - i. The Affirmative Action Officer will consider particular issues of welcomeness based on the allegations.
3. Investigation Results
- a. Upon the conclusion of the investigation, but not later than ten working days after reported to the Affirmative Action Officer, the Affirmative Action Officer will prepare a summary of findings to the parties. At a minimum, this summary shall include the person(s) providing notice to the school district and the staff member(s) who was alleged to be sexually harassed.
  - b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
  - c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.
  - d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administration shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.



- e. In the event the Affirmative Action Officer determines a hostile environment exists, the Superintendent shall take steps to eliminate the hostile environment. The school district may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed staff member, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any school staff member that reports such conduct.
  - f. In some situations, the school district may need to provide other services to the staff member that was harassed, if necessary, to address the effects of the harassment on that staff member. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed staff member's work performance, counseling and/or other measures that are appropriate to the situation.
  - g. The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the staff member who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed staff member to report any subsequent problems and will make follow-up inquiries to see if there has been any new incidents or retaliation.
  - h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.
4. Affirmative Action Officer's Investigation Appeal Process
    - a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any person who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.





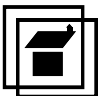
- b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

C. Office Of Civil Rights (OCR) Case Resolution

Persons not satisfied with the resolution of an allegation of sexual harassment by school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations.

1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of school staff members, OCR will consider whether:
  - a. The school district has a policy prohibiting sexual harassment and a grievance procedure;
  - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
  - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.

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## R 4425.1 MODIFIED DUTY EARLY RETURN TO WORK PROGRAM – SUPPORT STAFF MEMBERS

The Modified Duty Early Return to Work Program shall be administered by the \_ District Benefits Specialist, the district's designated Workers' Compensation Coordinator.

### A. Filing a Claim Report

1. A staff member must file a written Workers' Compensation Report if they have been injured in the performance of their job. This Report will be available in the main office and the nurse's office in each school building and in the Coordinator's office.
2. Upon sustaining an on-the-job injury, the staff member shall immediately report the injury to their immediate supervisor and report to the school nurse. If the injured staff member is not assigned to a school building with a school nurse, the school staff member shall immediately contact the Coordinator's office. The Coordinator, or designee, will direct the injured staff member to a school's main office, a school nurse, or the workers' compensation physician.
  - a. In the event the injury requires immediate medical treatment, the staff member may be directed to the workers' compensation physician or to the hospital emergency room. In this case, the Report shall be completed by the staff member whenever practical.
  - b. In the event the staff member gets injured when schools are closed or after business hours and the staff member believes the injury requires immediate medical treatment the staff member shall:
    - (1) Go to the hospital emergency room; and
    - (2) Notify their immediate supervisor as soon as possible after the injury.
  - c. In the event the injured staff member goes to the hospital emergency room when schools are closed, the staff member must report the injury to the Coordinator the next business day. The Coordinator may direct the injured staff member to a school nurse or to the workers' compensation physician. All future medical treatment for the injured staff member shall be scheduled through the Coordinator's office.



- d. In the event the staff member gets injured when schools are closed or after business hours and the staff member believes the injury does not require immediate medical treatment, the staff member shall:
    - (1) Immediately notify their immediate supervisor; and
    - (2) Notify the Coordinator's office the next business day.
  3. The Workers' Compensation Report shall be forwarded to the Coordinator's office as soon as it is completed by the injured staff member.
    - a. In the event the staff member requires a physician's examination and evaluation, the Coordinator's office will schedule the appointment with the workers' compensation physician's office and the staff member.
  4. Any staff member injured on-the-job and the injury causes the staff member to miss work time or prohibits the staff member from fulfilling all their job responsibilities must be examined by the workers' compensation physician. The Coordinator will authorize workers' compensation time off from work for a staff member injured on-the-job only after the staff member has been examined by the worker's compensation physician. The Coordinator may, upon certain circumstances, authorize workers' compensation time from work without requiring an examination by the workers' compensation physician.
  5. The Modified Duty Early Return to Work Policy will be attached to the Workers' Compensation Report and this Regulation will be provided to the injured staff member upon request.
- B. Physician's Workers' Compensation Examination and Evaluation
1. The Coordinator will provide the workers' compensation physician a job description and a list of required tasks for positions in the school district.
  2. Upon completing the medical examination and evaluation, the workers' compensation physician will prepare a report indicating the staff member's physical limitations, if any, that prevent the staff member from completing the staff member's job responsibilities. The workers' compensation physician's report will also include a diagnosis, to the best of the physician's ability, on the length of recovery for each limitation. The physician's report will be forwarded to the Coordinator.



3. The Coordinator will review the workers' compensation physician's report and follow-up with the workers' compensation physician and the staff member if the Coordinator needs more information to make a determination if modified duty is an option for the injured staff member.
- C. Modified Duty Restriction
1. There is no permanent modified duty and all modified duty positions are temporary.
  2. Upon reviewing the workers' compensation physician's report, the Coordinator will determine if temporary modified duty is appropriate for the staff member. The Coordinator may determine the staff member should be out of work until such time the staff member is able to return to work to assume all their job responsibilities. The Coordinator may also determine a date in the future for the staff member to return to work to assume temporary modified duties.
  3. A medical review and examination by the workers' compensation physician may be required to continue a modified duty assignment beyond sixty calendar days.
  4. The Board reserves the right to require a staff member returning from modified duty to submit to a physical examination before returning to their position to assume all the job responsibilities of their position.
  5. There will be communications among the Coordinator, the injured staff member's supervisor, the staff member, the workers' compensation physician, and the workers' compensation insurance provider throughout the course of treatment and recovery of the injured staff member.
  6. A tracking system will be established for documenting a staff member's status in the Modified Duty Program.
- D. Assignment of Job Tasks
1. Assigning modified duty to staff members will be decided on a case-by-case basis.
  2. Job tasks for staff members on modified duty will be determined and assigned within the limitations established and approved by the workers' compensation physician.



3. The injured staff member's immediate supervisor shall provide periodic status reports to the Coordinator for any staff member assigned modified duty.
  4. There is no restriction on the school district location or the type of modified duties assigned to a staff member provided it is consistent with the limitations detailed by the workers' compensation physician. These modified duties may be assigned to a full or partial day schedule depending on the staff member's limitations.
  5. The modified duties and/or responsibilities will be within the injured staff member's capabilities and a staff member will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.
- E. Staff Member Requirements
1. Staff members shall perform the job tasks designated by the workers' compensation physician in the physician's report and assigned by the Coordinator. In the event these job tasks cause discomfort, the staff member shall discontinue the specific activity and inform their immediate supervisor. The immediate supervisor will report this information to the Coordinator, who will schedule a medical appointment for the staff member.
  2. Staff members are required to follow the Coordinator's directives regarding:
    - a. Job assignments and tasks;
    - b. Attending scheduled doctors' appointments; and
    - c. Completing and transmitting reports to and from the workers' compensation physician, their immediate supervisor, and the Coordinator's office.
- F. Compliance With Laws

The Modified Duty Early Return To Work Program shall be administered consistent with the applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the district.

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