



***2018-2019***  
***CLASSIFIED EMPLOYEES***  
***HANDBOOK***

*Published by:*  
*Office of Human Resources/Accreditation*  
*Norfolk Public Schools*  
*512 Philip Avenue - PO Box 139*  
*Norfolk, Nebraska 68702-0139*  
*Telephone: (402) 644-2500*  
*FAX: (402) 644-2506*

## Foreword

Section		Page
1	Intent of Handbook	5
2	Information About Norfolk Public Schools	5
3	School Mission Statement	6
4	Members of the Board of Education	6
5	Administrative Staff	7
6	Norfolk Public Schools Foundation	7

### Article 1 – School Calendar and Schedules

Section		Page
1	School Calendar	8
2	Severe Weather and School Cancellations	8
3	District Summer Hours	9

### Article 2 – Employment, Compensation and Benefits

Section		Page
1	Employment	9
2	Assignments	9
3	Personnel File	9
4	Grievances and Complaints	10
5	Compensation	10
6	Benefits	10
7	Payroll and Payroll Deductions	10
8	Paid Holidays	10
9	Retirement	11
10	Expense Reimbursement	11
11	403(b) Salary Reduction Agreements	11
12	Overtime	11

### Article 3 – Absences from Work

Section		Page
1	Absence Procedures	11
2	Paid Leave - Sick and Personal Leaves	13
3	Vacation	13
4	Payroll Deductions for Absences in Excess of Paid Leave	14
5	Unpaid Leaves	14
6	Jury Duty Leave	14
7	Family and Medical Leave	15
8	Military and Family Military Leave	17
9	Adoption Leave	17
10	Subpoena to Testify Leave	17
11	Crisis Response Team	17

**Article 4 - Duties and Responsibilities**

<b>Section</b>		<b>Page</b>
1	Time Clock	18
2	Hours of Work & Meetings	18
3	Arrival to Duty Assignments	18
4	Leaving School	18
5	School Procedures	18
6	Supervision of Students	19
7	Dispensing Medication	20
8	Reporting Child Abuse	21
9	Funds	21

**Article 5 – Personal and Professional Conduct**

<b>Section</b>		<b>Page</b>
1	Ethics Standards	22
2	Role Model	24
3	Professional Boundaries	24
4	Relationships	25
5	Civility	25
6	Notification of Arrest, Etc.	26
7	Evaluations	26
8	Employee Complaints or Concerns	27
9	Attire	27
10	Outside Employment	27

**Article 6 - Use of School Facilities and Equipment**

<b>Section</b>		<b>Page</b>
1	Drug-Free Workplace	28
2	Smoke and Tobacco-Free Workplace	28
3	Weapon-Free Workplace	28
4	Use of District Computer Network and Internet	29
5	Use of School Facilities	31
6	Care of School Property	31
7	Use of Telephone	31
8	Visitors	31
9	Salespersons	32
10	Security of Desks and Lockers	32
11	Video Surveillance	32
12	Bulletins and Web Page	32
13	Copyright and Fair Use Policy	33
14	Lost and Found	33
15	Safety	33

**Article 7 - State and Federal Programs**

<b>Section</b>		<b>Page</b>
1	Notice of Nondiscrimination	35
2	Designation of Coordinators	35
3	Anti-discrimination & Harassment Policy	36
4	Grievance Procedure for Persons with a Disability	37
5	Confidentiality of Student Records (FERPA)	37
6	Disclosure of Student Information to Military Recruiters/Colleges	37
4	Breakfast and Lunch Programs	38
8	Confidentiality of Protected Health Information	38

**Appendix**

<b>Appendix</b>		<b>Page</b>
A	COBRA Notice	1
B	FMLA Notice	5
C	EEOC Notice	5
D	Fair Labor Standards Act	5
E	School Calendar	10

**Norfolk Public Schools  
2018-2019  
Classified Employees Handbook**

**FOREWORD**

**Section 1                      Intent of Handbook**

Welcome to Norfolk Public Schools! This handbook is intended to be used by classified employees to provide general information about the district and to serve as a guide to the district's policies, rules, and regulations, benefits of employment, and performance expectations.

References in this handbook to "classified employees" are intended to apply to all staff that is not required by their position to hold a teaching or administrative certificate.

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

This handbook does not create a "contract" of employment. Classified employee positions and assignments may be ended or changed on an "at will" basis notwithstanding anything in this handbook or any other publication or statement, except for a contract approved by the Board of Education.

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

*This handbook will be in effect for the 2018-2019 and subsequent school years unless replaced by a later edition.*

**Section 1                      Information About Norfolk Public Schools**

Norfolk Public Schools serves approximately 4,300 students in pre-kindergarten through twelfth grade. All-day kindergarten is available in all seven elementary schools, preschool is currently available at Washington and Lincoln Elementary schools, and Lincoln Elementary offers a K-4 Montessori Program. Norfolk Middle School serves grades 5-6, Norfolk Junior High serves grades 7-8, and Norfolk Senior High serves grades 9-12. In addition, Alternatives for Success is a specialized program that provides an alternative, flexible learning environment for 9th through 12th grade students. Career Academies are also in place at the high school. Our High Ability Learner (HAL) program serves intellectually gifted students and our comprehensive special education program provides a wide variety of services for our students with special needs.

The district covers 68.8 square miles in Madison, Pierce, Stanton, and Wayne Counties. Norfolk Public Schools exceeds accreditation requirements of the Nebraska Department of Education. Norfolk High School also outperforms accreditation standards set forth by the AdvancED Commission.

Norfolk Public Schools believes that quality education begins with a quality staff and collaborative partnerships with local businesses and community agencies. Since the first graduating class in 1889, Norfolk Public Schools, in cooperation with the community, have prepared students for the world beyond the walls of the schools.

## Section 2 School Mission Statement

The mission of Norfolk Public Schools is to prepare all students to pursue their goals for the future. An essential education is one that enables students to reach the following outcomes:

- A. Proficient in meeting the State’s academic content standards, essential learning outcomes, and such additional standards as established by the Board of Education
- B. Successful at each educational level and in transitioning between those levels from early childhood through postsecondary education and/or career entry
- C. Effective in functioning in and contributing to our culturally diverse democratic society

The district seeks to satisfy this mission by developing and maintaining:

- A. Qualified and competent administrative, teaching, paraprofessional, and operational staff;
- B. Integrated, planned curriculum that prepares students to achieve state standards and such additional standards as are established by the Board of Education and to reach the student outcomes identified above;
- C. Comprehensive support programs and services that meet the diverse needs of students;
- D. Safe, clean and supportive facilities and learning environments;
- E. Implementation of a curriculum that meets the following:
  - 1. Is based on state standards and such additional standards; as are established by the Board of Education;
  - 2. Is appropriate for the developmental level of the students;
  - 3. Addresses diverse learning needs;
  - 4. Instills a passion for learning and the importance of life-long learning;
  - 5. Develops problem solving and critical thinking skills, decision making skills, data gathering, and critical use of information;
  - 6. Develops expected work ethics, as well as group participation and leadership skills;
  - 7. Incorporates character education and multicultural education, including respect for diversity;
  - 8. Provides for application of technology in all learning areas;
  - 9. Provides access to advanced courses; and
  - 10. Is organized in a schedule that is functional and meets student needs in all curriculum areas.
  - 11. Providing a supportive learning environment which includes:
    - a. A welcoming and inviting environment that is emotionally safe, nurturing, supportive, and disciplined; that promotes respect, trust, integrity, and regard for self and others; and that honors diversity;
    - b. Learning as the central purpose with students engaged in meaningful, relevant, and productive learning experiences; and
    - c. Implementation of policies and practices that result in an orderly environment with emphasis on consistent school-wide positive behavior.

## Section 3 Members of the Board of Education

Name	Contact Information
Arnie Robinson	<a href="mailto:arnierobinson@npsne.org">arnierobinson@npsne.org</a>
Tammy Day	<a href="mailto:tammyday@npsne.org">tammyday@npsne.org</a>
Dr. Patti Gubbels	<a href="mailto:pattigubbels@npsne.org">pattigubbels@npsne.org</a>
Bruce Mitchell	<a href="mailto:brucemitchell@npsne.org">brucemitchell@npsne.org</a>
Robert Waite	<a href="mailto:bobwaite@npsne.org">bobwaite@npsne.org</a>
Sandy Wolfe	<a href="mailto:sandywolfe@npsne.org">sandywolfe@npsne.org</a>

**Section 4 Administrative Staff**

<b>Name</b>	<b>Position</b>
Dr. Jami Jo Thompson	Superintendent
Dr. William Robinson	Associate Superintendent of Business Services
Michael Hart	Director of Human Resources/Accreditation
Beth Nelson	Director of Teaching and Learning
Mary Luhr	Director of Student Services/Special Education
Derek Ippensen	Principal, Norfolk High School/Alternatives for Success
Ben Ries	Assistant Principal/Activities Director, Norfolk High School
Jason Settles	Assistant Principal, Norfolk High School
Erik Wilson	Assistant Principal, Norfolk High School
John Erwin	Dean of Students, Norfolk High School
Chuck Hughes	Principal, Norfolk Middle School
Ryan Specht	Assistant Principal, Norfolk Middle School
Jennifer Robinson	Principal, Norfolk Junior High
Josh Weber	Assistant Principal, Norfolk Junior High
Beau Viergutz	Dean of Students/ Assistant Activities Director: Norfolk Junior High
Trisha Andreasen	Principal, Bel Air Elementary
Troy Berryman	Principal, Grant Elementary and Lincoln Montessori Elementary
Angie Hausmann	Principal, Jefferson Elementary
Jo Roberts	Principal, Washington Elementary
Melissa Jantz	Principal: Little Panthers Preschool
Angie Baumann	Principal, Westside Elementary
Bruce Strong	Principal, Woodland Park

**Section 5 Grant Coordinators/Facilitators**

<b>Name</b>	<b>Building</b>	<b>Position</b>
Austin Casselberry	Norfolk Middle School	Aftershock Coordinator
Lacy Rehan	Central Office	Sixpence Family Facilitator
Jeff Hoffman	Norfolk High School	Career Academy Coordinator
Xanat Naranjo	Central Office	Sixpence Family Facilitator

**Section 6 Norfolk Public Schools Foundation**

<b>Name</b>	<b>Position</b>
Sarah Dittmer	Executive Director
Jim Reedy	Board President
Jenna Hatfield - Waite	Vice President
Mary Meyer	Treasurer
Connie Kube	Secretary
Troy Brooks	Board Member
Brad Easland	Board Member
Ann Feidler-Klein	Board Member
Brenda Carhart	Board Member
Troy Strom	Board Member
Diane Tremain	Board Member
Lisa Walters	Board Member
Bobbi Theisen	Board Member
April Pearson	Board Member

Julie Robinson	Board Member
Nate Stratton	Board Member
Dave Merritt	Board Member
Dr. Jami Jo Thompson	Superintendent of Schools
Sandy Wolfe	Board of Education Representative

- For other staff contacts, please visit the district website at [www.norfolkpublicschools.org](http://www.norfolkpublicschools.org)

## **Article 1 – SCHOOL CALENDAR AND SCHEDULES**

### **Section 1      School Calendar**

The school calendar is found in Appendix “E.”

### **Section 2      Severe Weather and School Cancellations**

The Superintendent is authorized by the Board of Education to close school in case of severe weather. Representatives of the Superintendent’s staff will notify local news media when inclement weather warrants such action. The information is broadcast regularly by radio and television stations.

Decision to Close Schools. A decision to close school is made when forecasts by the weather service and civil defense officials indicate that it would be unwise for students to go to school. If possible, a decision about the next school day will be made by 9 p.m. for announcement during the 10 p.m. news. An early decision is not always possible because of uncertain weather conditions. School officials will make periodic assessments of conditions during the night and will decide early in the morning (by 6 a.m. if possible) whether to have school or not. The decision to cancel school is never an easy one, but the decision will always be made with student and staff safety at the forefront. In any case, an announcement will be made to the news media when schools will be closed. In some instances, schools will be open, but certain services may be cancelled (bus transportation, kindergarten, student activities). Some staff may be designated as being required to come to school even in the event of a school closing.

After School Starts. Every attempt will be made to avoid closing school once classes are in session. In some instances closing school during the day is inevitable if children are to safely return home before the brunt of a major storm hits. In these cases, as much advance notice as possible will be given. If school is closed during the day, staff will be notified and parents will be notified via media broadcast. Teachers will be responsible for remaining with students until all students have safely left school or the administration has made arrangements for remaining students.

Parental Decisions. Parents may decide to keep their children at home in inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will be marked absent. We will treat the absence like any other absence for legitimate causes provided parents properly notify the school of their decision. Parents may pick up their children in inclement weather (except in case of a tornado) at any time during the school day. Students will not normally be dismissed from school during severe weather on the basis of a telephone request.

Emergency Conditions. Norfolk Public Schools uses a Standard Response Protocol (SRP) which, when implemented, includes the necessity to either evacuate the building or to move to safer areas of the building. All regular drills are held as required by law throughout the school year. There are plans for Lockdown, Lockout, Evacuate, and Shelter. **School officials are not permitted to release students from the school building during a tornado warning.** In the event of a severe weather warning, you should implement the school’s designated safety protocols.

**Classified Staff: Weather Procedure.** On occasion, school may be canceled due to inclement weather. 10, 11, and 12 month employees need to make every effort to safely make it to their buildings in a timely manner in order to



answer the phones and help students that come to school make arrangements for safe rides back home. Once those issues have been handled, please consult with your supervising administrator on finishing your work day at your school office or taking your work home to finish. If you cannot get to work or choose to not work the remainder of the day, you have the following options:

- Vacation time may be taken (12 month employees only).
- Comp. time may be taken ( Full time employees only).
- Work time may also be made up during an upcoming non 40 hour work week if it is deemed necessary by the administrator.

### **Section 3          District Summer Hours**

The district will close all offices (including Central Office) on all Fridays during the summer months at noon effective beginning the first Monday in June and these hours will remain in place until the first Monday of August. Regular hours usually resume on the first Monday of August. *Please note: The specific days that summer hours will start and end each year will vary slightly due to the calendar.* These summer hours include all staff, except custodial and district maintenance. Any exceptions need to be approved through the Business Office (i.e., high school, summer school, etc.) Summer hours will be Monday-Thursday: 7:30 a.m. to 4:30 p.m. with ½ hour for lunch; deviations must be approved through your supervisor and the Associate Superintendent of Business Services. Vacation time will be paid at 40 hours/week. Staff may use available vacation time each week to get in 40 hours. Vacation hours need to be approved in advance by the supervisor of your area.

## **Article 2 – EMPLOYMENT, COMPENSATION AND BENEFITS**

### **Section 1          Employment**

Employment is initiated when the supervisor conducts reference checks and an offer is made and accepted. The hiring process is completed upon submission of the hire form, successful completion of pertinent background checks, and all required payroll forms are finished. **Classified employees cannot begin working until they have met with someone in the payroll office to confirm all necessary paperwork is complete.**

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

Should an employee wish to resign from employment, the employee should give two weeks written notice of resignation to their immediate supervisor who will send the letter and the separation form to the Human Resources Office.

Classified employees are “at-will” employees, and may be terminated at any time by the school district. Notice of termination will be delivered by the administrator or supervisor.

### **Section 2          Assignments**

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

A classified staff member who wants to transfer to another posted opening within the district must send written communication to the Director of Human Resources indicating their current assignment and requesting a transfer to the posted position. If an in-house transfer is allowed, the salary schedule of the new position will be used, and in some instances this could result in a decrease in hourly wages. Administrators/supervisors must submit a Classified Employment Offer Form to HR to record changes in employment status.

The district reserves the right to transfer employees to other positions as deemed necessary.

Employees are expected to diligently and faithfully perform the assigned duties to the best of the employee's ability.

### **Section 3 Personnel File**

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

### **Section 4 Grievances and Complaints**

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

### **Section 5 Compensation**

Compensation. Compensation is paid only as authorized by the Board of Education.

Salary Payments. Salary is payable over nine-twelve monthly installments, depending on the employee's assignment, by direct deposit. Employees are paid on the 18th of each month, or the last preceding school day, if the 18th falls on a holiday or weekend. In emergency cases, exceptions may be made, subject to the approval of the board. Direct deposit is required for all employees of the district. Contact the payroll office if you need to make any changes (account number change, bank change, etc.). The request for changes need to be done in writing. Upon separation of employment, or upon fulfillment of the contract, employees will be paid all salary due.

Full-Time Employee. A full-time employee is one who is scheduled for thirty-five (35) hours a week or more, a minimum of nine months out of the year.

### **Section 6 Benefits**

Classified employees are provided benefits in accordance with their employment agreement and board policy. Annual fringe benefit elections are to be made by the third Friday in August of each school year. Should an employee fail to make such election, the employee election from the immediately preceding school year shall be continued. Building administrators/supervisors are responsible for informing the Business Office in writing of any changes in benefit status.

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

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

### **Section 7 Payroll and Payroll Deductions**

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

### **Section 8 Paid Holidays**

All nine, ten and eleven month full-time employees shall receive four paid holidays per school year. These holidays are:

Labor Day	Christmas
Thanksgiving	Good Friday

**All twelve month full-time employees shall be paid ten holidays per year. These holidays are:**

Labor Day	Good Friday	Thanksgiving	Day after Thanksgiving
Memorial Day	Independence Day	Christmas Eve	Christmas
One Floating Holiday (Employee's Choice)		New Year's	

**Note:** If a holiday falls on a Sunday, it will be observed on the following Monday. If the holiday falls on Saturday, it will be observed on the preceding Friday. The Floating Holiday must be used each school year and is not accumulative.

### **Section 9 Retirement**

Norfolk Public School employees participate, as required by law, in the Nebraska Public Employees' Retirement System. Employees will have that percentage of their gross salary as determined by law deducted for retirement. Additional money for the retirement fund is provided by legislative appropriation and mandatory contribution from the school district.

### **Section 10 Expense Reimbursement**

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

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

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

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

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

### **Section 11 403(b) Salary Reduction Agreements**

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

### **Section 12 Overtime**

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

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

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

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

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

Overtime pay for non-exempt employees will be paid at the rate of not less than 1½ times the employee’s regular rate of pay for hours worked in excess of the 40 hour workweek.

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

### **Article 3 – ABSENCES FROM WORK**

#### **Section 1          Absence Procedures**

Regular attendance in every position is essential to the success of our students and our district operations. Staff members should seriously consider every request for an absence/leave to be sure they are not abusing the privilege - including unpaid leave.

Requesting Leave. Leave requests should be made as soon as practicable under the circumstances. An employee who wants to use available leave is to submit a request for leave to the employee’s supervisor. The request is to be submitted at least 5 duty days prior to the leave. The supervisor may require that more advance notice be given depending on the nature of the employee’s duties or the need to schedule a substitute. The administrator/supervisor has final determination of a leave request.

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

## Returning from Absences

- A. *Establishing Fitness for Duty.* Employees must present a written statement from their physician or health care provider to their supervisor when absent for any period of time because of injury requiring care from a physician or health care provider, or absent from work for 5 days or more due to a personal health condition. The statement is to clearly verify that the employee is mentally and physically able to return to duty. This statement is to be presented in person to the employee's supervisor before the employee returns to duty in order that the readiness to perform work can be observed and discussed.

Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of their position by written notification from the employee's physician to their supervisor and, if needed, request a meeting with the Americans with Disabilities Act (ADA) Coordinator to discuss the provision of reasonable accommodations. The district will not discriminate against any employee due to disability and will provide reasonable accommodations. Information provided about medical conditions or disabilities shall be treated as confidential, as required by state and federal statutes, and will be divulged only to the extent necessary to provide reasonable accommodations.

Exception sheets and absence forms must be received by payroll by the end of the current pay period.

## **Section 2      Paid Leave – Sick and Bereavement**

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

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

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

An immediate family member is defined as: husband, wife, child, mother, father, sister, brother, mother/father-in-law, brother/sister-in-law, grandparents, grandchild, aunt, uncle, niece, nephew, and daughter/son-in-law.

Sick leave, when used for anyone other than a member of the immediate family residing in the household, can be used only in instances of serious illness. Ten (10) of the seventy-five (75) available sick leave days may be used for a member of the immediate family not residing in the household. The number of days that can be accumulated is 75 and all may be used in one school year.

Part-time employees – sick leave accrual rate:

- A. First year - one day
- B. Second year – two days
- C. Third year – three days
- D. Fourth year – four days
- E. Fifth year and every year thereafter – five days

Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services. The taking of a bereavement leave without attending funeral services would be an abuse of bereavement leave, except in the case of the death of the employee's parent, child or spouse, where grief would be expected to impair the employee's ability to function at work. Five days may be taken for immediate family as defined in Section 2 under sick leave. One day may be taken for anyone other than family.

### **Section 3          Vacation**

The leave year for paid leave is September 1<sup>st</sup> through August 31<sup>st</sup>.

Paid leave is available only to those employees who are specified to receive paid leave. For purposes of eligibility for vacation, a 12-month employee is an individual whose duties are performed over a 12 month period and who is scheduled to work 2,080 hours or more per leave year.

- A. An employee who changes from being ineligible for paid leave status to eligible status during a leave year becomes eligible for paid leave at the beginning of the next leave year.
- B. An employee who changes from eligible to ineligible status during a leave year becomes ineligible for paid leave at the time the change in status occurs. The employee will not be required to reimburse the district for any days that were used prior to the change in status. The employee will be required to use any leave balance during the leave year the change in status occurs.

Classified employees eligible for paid leave shall have vacation days available for each year as follows (Employees will be granted an advancement of 5 vacation days during their first 12 months of employment. If an employee would leave employment with the school district prior to their one year anniversary of their hire date the vacation days used would be charged back to the employee and deducted from their final pay check):

<b>Complete Years of Continuous Employment</b>	<b>Vacation</b>
1	5-40 Hours
2-10	10-80 Hours
11-20	15-120 Hours
21 or more	20-160 Hours

A “year of continuous employment” is determined based on a full leave year. When an employee has a break in employment and is re-hired by the district, the prior employment is not considered for determining years of continuous employment. Periods of employment in an employment status in which the employee is ineligible for paid leave is not considered for determining years of continuous employment.

Advance notice of taking vacation is required. All vacation time is to be arranged with the employee’s direct supervisor.

Classified employees are encouraged to take their vacation within each leave (fiscal) year. The maximum number of unused vacation days an employee will be allowed to carry over from one year to the next is five days. The maximum that may be accumulated is the number of days the employee was eligible for in the preceding leave year plus the possible five carry over days; that is five for an employee who has completed one year of continuous employment, ten for an employee who has completed two to ten years of continuous employment, fifteen for an employee who has completed eleven to twenty years of continuous employment, and twenty for an employee who has completed twenty-one or more years of continuous employment. An employee is eligible for their specific maximum number of days plus the possible five day carry over from the previous year. Once the maximum is accumulated, no further vacation days will be available or granted until September 1 of the next fiscal year.

### **Section 4          Payroll Deductions for Absences in Excess of Paid Leave**

Should an employee be absent from work in excess of the employee’s accumulated sick leave or other paid leaves, the employee’s salary and fringe benefits (including the cost of premiums for group health insurance) shall be reduced by the day or days of work missed on a per diem basis calculated using the number of days missed as the numerator, and the number of total days for the school year as the denominator.

## **Section 5 Unpaid Leaves**

The district complies with laws that require leaves to be allowed, such as for FMLA leaves, military service and jury duty. Should an employee be absent from work in excess of the employee's available paid leaves, the absence will be an unpaid leave except as may be required by law. The employee's salary and fringe benefits (including the cost of premiums for group health insurance) may be subject to reduction for the day or days of work missed.

## **Section 6 Jury Duty Leave**

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

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

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

## **Section 7 Family and Medical Leave Act**

### **Employee Rights and Responsibilities under the Family and Medical Leave Act**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Unlawful Acts by Employers. FMLA makes it unlawful for any employer to:

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

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

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

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

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627



To submit a request for use of FMLA, or to make arrangements for payment of benefits while on an FMLA leave, contact the business office, at (402) 644-2500.

### **Section 8            Military and Family Military Leave**

Military leave and family military leave will be granted to the extent required by state and federal law.

Employees requesting military leave must notify the superintendent as soon as they receive notification of activation. Employees are to attach a copy of their orders to a leave request form when they prepare the request for military leave.

Employees requesting to take family military leave under the Nebraska statutes must notify the Superintendent at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days, and consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the district. For leaves of less than 5 days, the employee is to notify the Superintendent of the leave request as soon as practicable.

Family military leave under the FMLA will be provided in accordance with that law and subject to the provisions of the board policy pertaining to FMLA leave.

### **Section 9            Adoption Leave**

Adoption leave will be permitted to be taken by an adoptive parent for the same time and on the same terms as an employee is permitted to take a leave of absence upon the birth of the employee's child.

### **Section 10          Subpoena to Testify Leave**

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

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

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

### **Section 11          Crisis Response Team**

Events such as the death of a teacher or student, natural or accidental disasters, and real or threatened violence may produce a crisis for students and faculty alike. The need to cope effectively is necessary. The purpose of the NPS Crisis Response Team is to evaluate crisis situations and plan intervention strategies based on district guidelines.

## **Article 4 – DUTIES AND RESPONSIBILITIES**

### **Section 1           Time Clock**

All hourly employees **must** use the building time clock at all times to record the start/end of the work day and the lunch period. Every time an hourly employee leaves the building for medical appointments or personal reasons, etc. they must clock out to properly account for duty time. Instruction on the proper use of the time clock is provided with “new hire” paperwork or upon request from the payroll office.

**Exception Sheets:** On rare occasions, and for special reasons **ONLY**, a *payroll exception sign in/sign out form* may be used. Exception sheets and absence forms must be received by payroll by the end of the current pay period. (*See Appendix - “Payroll Exception Forms”*)

### **Section 2           Hours of Work & Meetings**

Regular, dependable attendance at work is an essential function of a classified employee’s employment position promoting consistency for students, staff, etc. Abuse of leave privileges affects the students, other staff, and the entire district and will not be tolerated.

Employees are required to attend meetings called by the administration or their supervisors, except those meetings which are designated for optional attendance.

### **Section 3           Arrival to Duty Assignments**

Schools have differing starting and ending times for the student day. Classified employees’ work assignments may or may not be related to the regular school day. Classified employees are expected to know their duty dates and times, and to be on time for work.

### **Section 4           Leaving School**

Employees are to be on duty at all times during the assigned work day. Employees may not leave school or their assigned area during duty hours without approval of the principal or their supervisor.

Employees who leave the school during their designated lunch period or for an approved absence must check out with the principal’s office or their supervisor when leaving, and check back in upon return. Employees who need to leave during the school day for reason of illness or emergency are to make sure that a responsible person has been notified of their unexpected absence so work coverage may be provided.

### **Section 5           School Procedures**

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

- A. Use of Cell Phones. Employees are not to use personal cell phones for any non-school purpose during duty time. Employees are not to use electronic devices or otherwise engage in distracted driving while transporting students or using district vehicles. This rule applies to the driver when the vehicle is in motion. The only exception would be in the case of emergencies. Employees will abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the district relating to driving a motor vehicle. Seat belts and child restraint systems are to be utilized by all occupants at all times.
- B. Checking Out of Equipment. All equipment must be checked out through the principal’s office. School equipment may be used only for school purposes. School equipment and other resources may be used for personal purposes only as authorized by board policy or contract.
- C. Requisition of Equipment and Supplies. Books and supplies which are needed for instruction should be requested through the principal’s office. Employees shall not make purchases on behalf of the district without prior approval of the appropriate administrator who will assign a purchase order number/budget code. When ordering

supplies or materials through the Central Supply catalog, an electronic requisition form signed by the administrator/supervisor must be submitted to the business office at C.O. for processing. The requisitioner should specify item number, description, and budget code number and make a copy for his/her records.

- D. E-mail. Employees may be assigned a school e-mail address for purposes of intra-school and inter-school e-mail correspondence. Employees should check for e-mail throughout the duty day and respond to e-mails when possible, but avoid checking and responding to e-mails during instructional time. Use of the district's e-mail system for personal communications should be limited, and is subject to the rules governing overall computer usage found in board policy and this handbook.
- E. Employee Mail Box. Employees may be assigned a mailbox. Employees should check for mail upon arrival, in the course of the school day, if possible, and upon departure. If something requires an answer employees are responsible for responding promptly. Employee mail boxes are to be limited to communications regarding school business.

## **Section 6            Supervision of Students**

Proper supervision of students is an important responsibility. Employees responsible for student supervision are expected to meet the four "P's" for student supervision and safety. All employees of the school should be familiar with these principles, to the extent they may be involved in supervision of students or interacting with students.

### Proper Supervision

- A. Report to all duty assignments on time.
- B. Circulate through your duty area. Pay particular attention to areas and activities that pose an increased risk of injury.
- C. Be vigilant while supervising students. Never leave your students unattended; the need to make a copy is not greater than the need to supervise your students. If an emergency requires that you leave students who you are supervising, request that another nearby staff member provide supervision for you, or notify the office so someone can provide assistance. If you are on recess duty, your responsibility is to supervise the students in your assigned area. When talking with other adults or students, remember that your primary duty is supervision and make sure you are aware of what all students who you are to be supervising are doing.
- D. If you have seen or have been informed that a particular student has a propensity to act dangerously or in an unpredictable manner, your supervision of that student must increase with the known risk of injury. (Remember, though, that this type of information may be confidential—do not share confidential information about students, except with other staff who need to know the information to perform their jobs).
- E. Be careful with touching students. Touching students should be limited to that necessary to protect the student. Corporal punishment is prohibited in our school district and is not to be used. Physical force may only be used to the extent reasonably necessary to protect the student, yourself and others, and to protect property as may be reasonable.
- F. Use good judgment when dealing with difficult situations involving students. Physical confrontation generally escalates tense situations.
- G. Be careful with your language. Profanity or abusive language should not be used by you. Be a good role model for students. If a student uses such language, you should correct the student and take such disciplinary action as is appropriate, which may include making a report to administration.

### Proper Instructions

- A. Proper instructions are important to reduce the risk of injury when students undertake an activity, especially an activity that has an increased risk of harm to students.
- B. Repeat the instructions on how to complete a task that has a heightened risk of danger as often as needed. Do not assume because students heard the directions once that they will be remembered.
- C. When you go over safety rules with students, document this training.

### Proper Maintenance of Buildings, Grounds, and Equipment

- A. Conduct periodic inspections of equipment under your control or in your area of supervision.
- B. If equipment is broken and presents a risk of injury, immediately take it out of service (if it can't be moved, tape a "Do Not Use" sign) and notify the office so those repairs may be undertaken.

- C. Check your communication device (whether it be a school phone in your supervision area, a walkie-talkie, intercom, e-mail, cell phone or other means as applicable) periodically to make sure you can communicate with the office immediately in the event of an emergency.

#### Proper Warnings

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

#### Contact the Office for Assistance

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

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

Violations of student rules which are also violations of state law are required to be reported to law enforcement. Make a report of such conduct to the principal so this law may be followed.

#### Student Searches

Office administration should be contacted before performing searches of students or their belongings. You may direct a student suspected of having an item in violation of school rules to wait with you until another adult is present, or to follow you to the office if you can leave your assigned area without causing risk of harm to others. Do not use physical force to detain the student or to make the student accompany you except as reasonably necessary to protect the student or others.

#### Student Rights

Treat students fairly and consistently without consideration of race, color, religion, gender, or disability. Students who need special accommodations are to be given those accommodations as needed for them to participate in school and school activities. Follow IEP and 504 Plans for the students for whom you are responsible. Be attentive and respond to "bullying." Maintain the confidentiality of student records. Student record information should be shared only with other school staff with a need to know the information to perform their duties.

### **Section 7           Dispensing Medication**

Employees are not permitted to give any medication to students unless trained under the Medication Aid Act. To ensure the proper care of our students, employees who are asked to take the medication training and administer medications shall do so.

Students who need to take prescription medicine must have a signed parent release form on file in the office. Medications are to be taken in the presence of the office staff, the nurse, or medication aide and are to be stored in the nurse's office - with the exception of students who have a diabetes self-management or asthma self-management plan. Medical procedures are not to be administered in the classroom except in accordance with the district's Safety and Security Management Plan and the district's emergency protocols (asthma/anaphylaxis protocol).

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

include the following information: **student's name, name of medication, dosage needed, and time of dispensing the medication.**

## **Section 8            Reporting Child Abuse**

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

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

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

It is vital that the report be made as accurately and as soon as possible. To assure accuracy, you are encouraged to document the date of the incident and specific statements or explanations made by a child regarding an abuse/neglect concern. Timeliness in making a report will assist in minimizing further risk to the child by allowing the police or Child Protective Services workers to promptly interview the child. A counselor or an administrator will assist you as needed.

## **Section 9            Funds**

### Receipts:

- A. No assessments against students (other than fines) shall be made until permission is secured from the building principal and/or the Superintendent. New organizations requiring payment of dues, fees, or assessments may not be organized without permission of the building principal and/or the Superintendent.
- B. Certain monies collected by Middle School instructors, Junior High instructors or Senior High instructors shall be checked in to their respective secretaries.
- C. Secretaries shall give a receipt for all money paid to them, showing to what fund the same is credited.

The office secretary shall make a monthly report for all subsidiary accounts to persons concerned if requested to do so. These funds cannot be drawn on except through the secretary under the direction the authorized persons concerned and with the approval of the building principal or the Superintendent of Schools.

No money shall be kept in the offices, library, teacher's desks, or in file cabinets overnight. During the day, such funds should be kept under lock and key.

## **Article 5 – PERSONAL AND PROFESSIONAL CONDUCT**

### **Section 1        Ethics Standards**

The Norfolk Public School District expects its classified employees to adhere to ethics standards which are modified from those established by the Nebraska Department of Education for certificated employees. The classified school employment job ethics standards which classified employees are expected to adhere to include those set forth below.

*Principle I - Commitment as a School Employee:*

Employees shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the employee's professional responsibilities, the employee:

- A. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
- B. Shall not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status.
- C. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence personal decisions.
- D. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
- E. Shall not exploit school relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
- F. Shall not sexually harass students, parents or school patrons, employees, or board members.
- G. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of job duties.
- H. Shall report to the Superintendent (or his or her designee) any known violation of paragraphs B or E above.
- I. Shall seek no reprisal against any individual who has reported a violation of this rule.

*Principle II - Commitment to the Student:*

Mindful that the employee's classified position exists for the purpose of serving the best interests of the school district's students and patrons, the classified employee shall perform his/her job duties with genuine interest, concern, and consideration for the student. The employee shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the employee:

- A. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
- B. Shall keep in confidence personally identifiable information that has been obtained in the course of employment, unless disclosure is approved by the administration or is required by law.
- C. Shall not discipline students using corporal punishment.

*Principle III - Commitment to the Public:*

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The classified employee bears responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the employee:

- A. Shall not misrepresent an institution with which the employee is affiliated, and shall take added precautions to distinguish between the employee's personal and institutional views.
- B. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.

- C. Shall neither offer nor accept gifts or favors that will impair judgment to be exercised in the course of employment.
- D. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
- E. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
- F. Shall, with reasonable diligence, attend to the duties of the employee's position.

*Principle IV - Commitment to Classified Position Employment Practices:*

The employee shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The employee shall believe that sound personnel relationships with governing administration and board of education are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to employment practices, the employee:

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

*Competent Performance*

Employees must possess the abilities and skills necessary to accomplish the designated task.

Therefore, each employee shall:

- A. Keep records for which he or she is responsible in accordance with law and policies of the school system;
- B. Supervise others in accordance with law and policies of the district;
- C. Recognize the role and function of community agencies and groups as they relate to the district and to his or her position, including but not limited to health and social services, employment services, community teaching resources, cultural opportunities, educational advisory committees, and parent organizations.

Each employee shall:

- A. Utilize available materials and equipment necessary to accomplish the designated task;
- B. Adhere to and enforce written and dated administrative policy of the district which has been communicated to the educator;
- C. Use channels of communication when interacting with educators, community agencies, and groups, in accordance with policy.

Each supervisor shall:

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

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

- A. Utilize information and materials that are relevant to the designated task;
- B. Use language and terminology which are relevant to the designated task;
- C. Use language which reflects an understanding of the ability of the individual or group;
- D. Assure that the designated task is understood;
- E. Use feedback techniques which are relevant to the designated task;
- F. Consider the entire context of the statements of others when making judgments about what others have said;

- G. Encourage each individual to state his ideas clearly.

*Management techniques:* The employee shall:

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

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

- A. Shall allow others who hold and express differing opinions or ideas to freely express such ideas;
- B. Shall not knowingly misinterpret the statement of others;
- C. Shall not show disrespect for or lack of acceptance of others;
- D. Shall provide leadership and direction for others by appropriate example;
- E. Shall offer constructive criticism when necessary;
- F. Shall comply with reasonable requests and orders given by and with proper authority;
- G. Shall not assign unreasonable tasks;
- H. Shall demonstrate self-confidence and self-sufficiency in exercising authority.

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

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

*Obligations:* Employees shall adhere fully to the terms of the assignment or appointment.

## **Section 2            Role Model**

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

Classified staff members provide valuable assistance in the educational process and allow teachers and administrators to carry out their responsibilities in a more efficient and effective manner. Administrators/teachers must maintain the role of leadership and responsibility for the students, with the classified staff in a supportive role.

## **Section 3            Professional Boundaries between Employees and Students**

## **Policy 4025**

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

### Professional Boundaries between Employees and Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- A. Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school-related activities, such as the student's homework, class activity, school sport or club, or other school-sponsored activity. Electronic communications with students are to be sent simultaneously



to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student's grades).

- B. Engaging in social-networking friendships with a student on social networking sites. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children.
- C. Employees shall not "friend" or "follow" students on any social networking site.
- D. Engaging in sexual activity, a romantic relationship, or dating a student or a former student within one year of the student graduating or otherwise is leaving the district.
- E. Making any sexual advance – verbal, written, or physical – towards a student.
- F. Showing sexually inappropriate materials or objects to a student.
- G. Discussing with a student sexual topics that are not related to a specific curriculum.
- H. Telling sexual jokes to a student.
- I. Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- J. Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- K. Being overly "touchy" with a specific student.
- L. Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- M. Discussing with the student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- N. Giving a student a ride in the employee's personal vehicle without express permission of the student's parent or school administrator unless another adult is in the vehicle.
- O. Taking a student on an outing without obtaining prior express permission of the student's parent or school administrator.
- P. Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- Q. Going to the student's home when the student's parent or a proper chaperone is not present.
- R. Giving gifts of a personal nature to a specific student.
- S. Discussing alcohol, tobacco or other illicit drugs in a non-instructional setting, such as describing a party that the employee attended.
- T. Discussing another student's or an employee's personal matters when it is not appropriate outside of the instructional setting.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children who are students in the district.

Employees who observe or become aware of a violation of the foregoing expectations by other employees are to report the matter to the building principal or the employee's immediate supervisor.

#### **Section 4 Relationships**

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

#### **Section 5 Civility**

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

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

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

## **Section 7        Notification of Arrest, etc.**

Employees must notify the Superintendent (or his or her designee) by the next business day after:

- A. Arrest or Criminal Charges. The employee is arrested, ticketed, or issued a criminal charge where:
  - 1. The maximum penalty for the crime equals or exceeds six months incarceration;
  - 2. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
  - 3. Conviction would impact performance of employee's job responsibilities, including offenses that:
    - a. Would impact the responsibility to be a role model for students or relations with other employees of the district;
    - b. Would impact the employee's ability to operate a motor vehicle if the employee's work duties include driving; or
    - c. Would impact the employee's Commercial Driver's License if the employee's job requires that the employee have a CDL.
  - 4. The arrest or the alleged criminal activity occurred while the employee was on duty, on district property, or in a school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.
  - 5. Employees must also promptly report to the Superintendent whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense is not otherwise reportable.
- B. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee's position.
- C. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act.

Further, employees must give full disclosure of any Child Protection Act investigation that resulted in an "inconclusive" determination that occurred at any time. Current employees must give such disclosure within ten days following receipt of this handbook.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Superintendent of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, up to and including termination.

## **Section 8        Evaluations**

Evaluations of employees will be conducted in accordance with the district's evaluation policy. Supervisors reserve the right to observe, appraise or evaluate employees more frequently than required by policy on an "as-needed" basis. Employees are expected to make themselves available for evaluation on request, to participate constructively and positively in the evaluation process, and to accept and implement constructive suggestions and improvement strategies developed by the administration. In the event of a job performance warning there shall be a conference between the employee and the supervisor. The supervisor and employee shall cooperatively examine the results of the warning and determine if further action is warranted.

## **Section 9 Employee Complaints or Concern**

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

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

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

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

## **Section 9 Attire**

It is important for employees to project a professional image to students, parents and co-workers. Appropriate attire and grooming is one of the means of projecting a professional image. Employees are expected to maintain conservative and professional attire and grooming when on duty. Staff members shall dress appropriately, presenting a neat, clean, professional appearance conducive to the learning environment of the students. As a general guideline, appropriate, professional attire is to dress "Business Casual." The general guidelines for "business casual" are: dress pants or khakis, a reasonable length dress or skirt, or dressy capris combined with a dress shirt, polo or sweater; dress shoes/sandals. Fridays will be designated as Spirit Days across the district and staff are encouraged to show their school spirit by wearing a Panther polo on those days. Neat, clean jeans may be allowed by your building principal on Spirit Days if they are accompanied by a Panther polo. The administration may establish more detailed guidelines for individual employees should that be necessary.

## **Section 10 Outside Employment**

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

## **Article 6 – USE OF SCHOOL FACILITIES AND EQUIPMENT**

### **Section 1 Drug-Free Workplace**

The district has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held.

The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the workplace. The possession, use or distribution of illicit drugs or alcohol, the use of glue or aerosol paint or any other chemical substance for inhalation, and being under the influence of illicit drugs, alcohol, or inhalants, is prohibited in any place while employees are on duty time. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol on an employee in the workplace or on duty time shall be a violation of the drug-free workplace. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the district's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or during off duty time.

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

### **Section 2 Smoke and Tobacco-Free Workplace**

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

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

### **Section 3 Weapon-Free Workplace**

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

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

- A. Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- B. The frame or receiver of any object described in the preceding example;
- C. Any firearm muffler or silencer;
- D. Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- E. Any bludgeon, sand club, metal knuckles, or throwing star;
- F. Any knife other than as used for strictly instructional or personal care or eating purposes. A pocket knife with a blade of 2-1/2 inches or more is a prohibited weapon. A switch-blade knife is prohibited regardless of size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- G. Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun;
- H. An employee may possess mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes and shall not be considered as possession of a weapon. Possession of larger quantities and/or concentrations of mace or other similar chemical agents than is typically designed for individual personal defensive purposes will be considered as possession of a weapon. Usage of mace or other similar chemical agents will be considered as usage of a weapon if the usage is found to be for non-defensive purposes. An employee who is negligent in their possession of mace or other similar chemical agents will be subject to disciplinary action;
- I. An employee may possess an item which may be considered a weapon where such item is used for instructional purposes and the employee has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed; and
- J. Any other object that is designed for or intended for use as a destructive or injurious device.

The phrase “possession of a weapon” includes, without limitation, a weapon in an employee's personal possession, as well as in an employee’s motor vehicle, desk, locker, briefcase, backpack, or purse.

#### **Section 4      Use of District Computer Network and Internet**

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

- A. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources as made available by the district. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the Internet.
- B. Access and User Agreements. Use of the district’s technology resources is a privilege and not a right. The Superintendent or his/her designee may develop appropriate user agreements and require that employees sign such user agreements as a condition of access to the technology resources. The technology resources are not a public forum. The district reserves the right to restrict any communications and to remove communications that have been posted.
- C. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the district’s mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.
- D. Unacceptable Uses. The following are unacceptable uses of the technology resources:
  - 1. **Personal Gain:** Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.
  - 2. **Personal Matters:** Technology resources shall not be used, and no person shall authorize its use, for personal matters.
  - 3. **Incidental personal use** is not prohibited by this provision. This exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time.
  - 4. The exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the Internet for personal use; or sending an e-mail related to one’s own private consulting business.

5. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.
6. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation,
  - a. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
  - b. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
  - c. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
  - d. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
  - e. Users shall not copy, change, or transfer any software without permission from the network administrators.
  - f. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
  - g. Users shall not engage in any form of vandalism of the technology resources.
  - h. Users shall follow the generally accepted rules of network etiquette. The administrator or designees may further define such rules.
    1. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any district policy or any applicable law. Without limitation, this means that technology resources may not be used:
      - a) To access any material contrary to the district's Internet Safety Policy; or to create or generate any such material.
      - b) To engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
      - c) To engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the district is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.
      - d) To promote or tolerate violations of student conduct rules.
      - e) To engage in illegal activity, such as gambling.
      - f) In a manner contrary to copyright laws.
      - g) In a manner contrary to software licenses.
7. Disclaimer. The technology resources are supplied on an "as is, as available" basis. The district does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The district is not responsible for the integrity of information accessed, or software downloaded from the Internet.
8. Filter. A technology protection measure is in place that blocks and/or filters access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the district may also use other technology protection measures or procedures as deemed appropriate.

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

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

Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.

9. **Monitoring.** Use of the technology resources, including but not limited to Internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the district's computers or Internet system.

**Sanctions.** Violation of the policies and procedures concerning the use of the district's technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful may be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

## **Section 5            Use of School Facilities**

An employee who is issued school keys is expected to not lose their keys and to not allow others to have access to or to use their keys. Employees are permitted to have access to school facilities during non-school time provided such access is for work-related purposes and the principal or supervisor has given permission for such access. When employees leave the building, they are to close all windows, lock doors, and make sure that the entry door is fully closed and locked. This is especially important when employees are using the school facilities prior to the beginning of the school year and during any weekend or evening usage. Employees are responsible for the replacement costs of lost keys.

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

## **Section 6            Care of School Property**

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

## **Section 7            Use of Telephone**

Personal telephone calls shall not be made during duty time except in the event of an emergency. Long distance calls on school telephones must be made from the office. Employees will need to promptly log long distance calls according to building procedures and be responsible for any charges which are for personal use.

## **Section 8            Visitors**

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

## **Section 9            Salespersons**

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

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

#### **Section 10 Security of Desks and Lockers**

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

The district exercises exclusive control over school property and reserves the right to search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file. School-related documents or records must remain readily available to administration and other appropriate school staff. Any personal items an employee wants to have kept private should be kept in a separate personal storage device, such as a brief case, purse or backpack.

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

#### **Section 11 Video Surveillance**

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

Notice is hereby given that video surveillance may occur on district property. In the event a video surveillance recording captures a building user violating school policies or rules or local, state or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the building user and may also be provided to law enforcement agencies.

#### **Section 12 Bulletins and Web Page**

Bulletin boards and electronic media (web page) and other communication devices are maintained for the purposes of conveying information about the district's activities and programs and for educational purposes related to such activities and programs. The district's communication devices are designated as non-public forums, meaning that the devices are not open for public use.

Information posted or displayed on the district's communication devices may not include political advertising, communications promoting particular religious beliefs, controversial topics or positions not consistent with the mission of the district, or communications that promote activities not suitable for school-age children.

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

#### **Section 13 Copyright and Fair Use Policy**



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

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

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

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

#### **Section 14      Lost and Found**

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

#### **Section 15      School Safety**

##### Safety Programs and Safety Teams

Student and staff safety is a paramount priority. The district has established a Safety and Security Management Plan which includes our **Standard Response Protocol**. This plan also includes other safety and security measures and procedures, including specific plans and actions to address emergency and crisis situations. Employees are expected to be familiar with and to comply with the district's **Standard Response Protocol** (or SRP). Information about the **Standard Response Protocol** is available under the Safety and Security tab on the school website. Information about the Safety and Security Management Plan may be obtained for review from the principal or the Superintendent.

The district also has several active safety teams in place to address employee accidents, injuries and work place conditions as well as threat assessments and various safety and security items. Representatives who serve on these teams are generally appointed by the administration. Staff can make suggestions and/or report concerns to the safety teams by contacting members of the safety teams or their building principal.

##### Safety Practices

Guidelines for safe work practices for employees include the following:

- A. Never stand on chairs, counters, tables, etc. Only use step stools, ladders and locking stools to stand, climb, etc., to reach high places, put things on bulletin boards, etc.
- B. Always wear protective equipment (i.e., goggles, aprons, gloves, and ear protection).
- C. Wipe up spills or report promptly to appropriate personnel. DO NOT assume someone else will do it.
- D. Be aware of your surroundings. Pick up clutter, keep your work area or room clean and free of clutter, debris, etc.
- E. Identify and report all hazards (i.e., broken equipment, broken or uneven floor surfaces, non-operating tools, windows, doors, etc.). Follow up if not repaired.
- F. Do not use equipment if you are not familiar with it or operate machinery without proper training.
- G. Do not carry heavy or bulky objects. Get a cart, dolly or assistance. Know how to properly lift.

- H. Report any injuries or medical problems to your supervisor immediately and complete the employee accident report.
- I. Wear seatbelts when in vehicles where provided.
- J. Do not do repetitive tasks for long periods of time (i.e., keyboarding, dipping cookies, cutting out things, filing, typing, etc.). Take breaks, learn and do stretching exercises, etc. Every accident in the school building, on the school grounds, at practice sessions, or at any athletic event sponsored by the school must be reported immediately to the appropriate building administrator.

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

#### Safe Driving

Employees who drive school vehicles to transport students must have a valid driver's license and proof of insurance. Employees will be given instruction on emergency evacuation and first aid and provided a Driver's Certification form following completion of the district driving class.

Employees who drive school vehicles are responsible for following safe driving practices. Employees are to abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the district relating to driving a motor vehicle. Seat belts and child restraint systems will be utilized by all occupants. Failure to do so could result in personal liability. When transporting students or using a school vehicle, employees are not to use electronic devices or otherwise engage in distracted driving. This rule applies to the driver when the vehicle is in motion. The only exception would be in the case of emergencies.

Employees are prohibited from transporting students in their personal vehicle.

#### Accidents

Every accident which results in a personal injury must be reported to the principal or supervisor immediately. In the event the injury involves a student, the employee who is responsible for the supervision of the student is responsible for making the report. If the injury occurs in the presence of the employee, the employee is also responsible for making a report.

#### Asbestos

You are hereby notified that current federal regulations require all schools to inventory asbestos-containing material and to develop a management plan to identify and control asbestos in their buildings. In addition, each parent, teacher, and employee organization must be notified annually about inspections, re-inspections, response actions, and past response actions and activities, including periodic surveillance that is planned or in progress. This handbook insert shall serve as that official notice to each employee. Each school building in the Norfolk Public Schools has had a six-month surveillance inspection and a three-year inspection, with the last three-year inspection conducted by certified in-house personnel. All other types of asbestos activities are posted in the Public Notice ads of the Norfolk Daily News as the district needs to address those types of activities. The plan for each building is available at the Central Administration Building and at each school for that particular school for inspection (without cost) to any interested person. The district may charge for copies of the plan. The plan for each building has also been submitted to the Nebraska Department of Health, Division of Environmental Health and Housing surveillance in accordance with federal regulations. For more information on the Asbestos Management Plan, contact the Associate Superintendent for Business Services, 512 Philip Avenue, Norfolk, Nebraska 68701, (402) 644-2500.

#### Workers Compensation

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

## **Article 7 – STATE AND FEDERAL PROGRAMS**

## **Section 1      Anti-discrimination, Anti-harassment and Anti-retaliation, Notice of Nondiscrimination**

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

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

In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected category constitute harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

Age harassment (40 years of age and higher) has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.

Sexual harassment is defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment. Sexual harassment may exist when:

- Submission to such conduct is either an explicit or implicit term and condition of employment or of participation and enjoyment of the school's programs and activities;
- Submission to or rejection of such conduct is used or threatened as a basis for employment related decisions, such as promotion, performance, evaluation, pay adjustment, discipline, work assignment, etc., or school program or activity decisions, such as admission, credits, grades, school assignments or playing time;
- The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.
- Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

### Complaint and Grievance Procedures:

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

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

The supervisor, teacher or the Superintendent (or his or her designee) will promptly and thoroughly investigate all complaints. These situations will be treated with the utmost confidence, consistent with resolution of the problem. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending

employees, and disciplinary action up to expulsion against a harassing student, may be taken. Under no circumstances will any threats or retaliation be permitted to be made against an employee or student for alleging in good faith a violation of this policy.

**Notice of Nondiscrimination**

The Norfolk Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the nondiscrimination policies:

**Students:** Mary Luhr, Director of Student Services: 512 Philip Avenue, Norfolk, NE 68701, (402) 644-2500.

**Employees and Others:** Bill Robinson, Associate Superintendent for Business Affairs; 512 Philip Avenue, Norfolk, NE 68701, (402) 644-2500.

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR (816) 268--550 (voice), FAX (816) 268-0599, (800) 877-8339 (telecom. device for the deaf), or ocr.kansascity@ed.gov.

**Designation of Coordinators**

**Policy 4003**

Any person having inquiries concerning the district’s compliance with anti-discrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies or programs. The contact address for the coordinator is: Norfolk Public Schools, 512 Philip Avenue, Norfolk, NE 68702, (402) 644-2500.

<b>Law, Policy or Program</b>	<b>Issue or Concern</b>	<b>Coordinator</b>
Title VII	Discrimination or harassment based on race, color, or national origin; harassment	Director of Student Services
Title IX	Discrimination or harassment based on sex; gender equity	Associate Superintendent of Business Services
Section 504 of the Rehabilitation Act Americans with Disability Act (ADA)	Discrimination, harassment, or reasonable accommodations of persons with disabilities	504 - Director of Student Services ADA - Associate Superintendent of Business Services
Homeless student laws	Children who are homeless	Director of Student Services
Safe and Drug Free Schools and Communities	Safe and drug free schools	Associate Superintendent of Business Services

**Section 2 Grievance Procedure for Persons with a Disability**

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

- A. Complaints shall be filed with the ADA and Section 504 Coordinator. Complaints shall be made in writing, unless the complainant’s disability prevents such, in which event the complaint can be made verbally.
- B. Complaints shall set forth: (a) the name of the complainant, (b) the address and telephone number or other such information sufficient to enable the coordinator to contact the complainant, (c) a brief description of the alleged violation, and (d) the relief requested by the complainant.
- C. Complaints shall be investigated by the coordinator or the coordinator’s designee. Investigations shall be thorough, but informal, and the complainant shall be given a full opportunity to submit evidence relevant to the

complaint.

- D. The coordinator shall make a decision on the complaint within 30 days of the filing of the complaint, unless such time period is extended by agreement with the complainant or a longer period is reasonably necessitated by the circumstances. The decision shall be made in writing, shall set forth the coordinator's proposed resolution of the complaint, and shall be forwarded to the complainant.
- E. The complainant shall have 10 days from the date the coordinator's decision is sent to the complainant to accept or reject the coordinator's proposed resolution. The complainant shall be deemed to have accepted the proposed resolution unless the complainant rejects the proposed resolution within such time period.
- F. In the event the complainant rejects the proposed resolution, the complainant shall be given the opportunity to file a request for reconsideration within 10 days from the date the coordinator's decision is sent to the complainant. The request for reconsideration shall be filed with the coordinator. Upon receipt of the request for reconsideration, the coordinator shall promptly forward the request for reconsideration and all evidence received by the coordinator in connection with the complaint to a third person for review (either an administrator or other employee of the district, or members of the Board of Education or committee of the board).
- G. A decision on the request for reconsideration shall be made within 10 days after the request for reconsideration was filed unless the board or committee of the board is the reviewer, in which event the decision shall be made within 30 days of the filing of the request for reconsideration, unless such time period is extended by agreement with the complainant or a longer period is reasonably necessitated by the circumstances.

## **Section 2 Confidentiality of Student Records (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) gives parents and students over 18 years of age rights of access and confidentiality with respect to education records. Employees are expected to provide access rights and maintain the confidentiality of education records in accordance with FERPA and board policy. Employees may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. An employee who violates this restriction shall be subject to disciplinary action up to and including termination. Further information about FERPA and the district's policies under FERPA are found in board policy and in the student handbook.

## **Section 3 Disclosure of Student Information to Military Recruiters and Colleges**

The **Every Student Succeeds Act (ESSA)** requires the district to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that the school not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters or institutions of higher education, without their prior written consent. Employees are expected to follow these requirements.

## **Section 4 Breakfast and Lunch Programs**

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

## **Section 5 Confidentiality of Protected Health Information**

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

