

BOE Approved – 07/08/2024



**Classified**  
**Employee Handbook**  
**2024-2025**

Work attendance is vital to the functions of USD 417. Employees are expected to report to work on time and as scheduled. Regular attendance is required for all employees that are subject to the leave provisions in district policy. Employees who are excessively absent or tardy, who take unauthorized leave, or who have unexcused absences may be subject to disciplinary measures up to and including termination of employment. Please note, for the purpose of this handbook, a day is equivalent to the number of hours an employee is scheduled to work.

USD 417 utilizes an online system to record employees' daily time, attendance, and leave. Hourly employees must clock in and out each day via this system. Employees must log in at the assigned kiosk in their building. Employees must review and submit their timesheet weekly and on the 10<sup>th</sup> of each month. If an adjustment needs to be made, the employee should contact their supervisor or the building secretary. No employee shall make adjustments on their personal account.

1. SICK LEAVE: Employees must work a minimum of four hours per day (20 hours in a week) to qualify for paid sick leave. Sick leave is accrued based on the employee group.

#### Twelve (12) Month Employees

- Sick leave will be awarded on the accrual basis – 1 day per each month worked (based on length of work agreement - max 12 per year). This leave is available to be used by the employee as it is accrued. If an employee uses more sick leave than the employee has accrued, the leave will be classified as unpaid leave, and the employee may be subject to disciplinary action for excessive absences.

#### Secretaries, Aides, Cooks, Bus Drivers

- Sick leave is awarded for a year in advance in July. Ten (10) days of sick leave will be frontloaded to the employee's online accrual bank.

#### All Groups

- Requests for sick leave are submitted for approval via the online attendance system. Sick leave balances are also available via the online attendance system.
- Sick leave is cumulative to 70 days. This would include the sixty (60) days that can be carried forward from a previous school year and the ten (10) days given for the new school year.
- When an employee ends a work agreement year with excess of 60 sick leave days, the employee is paid at a rate of \$35 per day. An example would be ending the school year with sixty-four sick leave days. The four (4) days exceeding sixty (60) would be paid at thirty-five dollars (\$35) each for a total of one hundred (\$140) dollars. The employee would then carry the sixty days to the next school year.
- Sick leave days are only paid when in excess of sixty (60) days at the end of the school year.
- There is no additional compensation for sick leave days when an employee leaves employment of the school district.

#### 2. USE OF SICK LEAVE

##### Sick leave may be used for these reasons only:

- Illness or disability of the employee and personal medical or dental appointments, including pregnancy and childbirth.
- Illness or disability of the employee's family member and for appointments with a family member if the employee's presence is necessary, such as for minor children.

- Legal quarantine of the employee or dependent.
- Adoption of a child by an employee or initial placement of a foster child in the home, when the initial placement reasonably requires the employee to be absent from work.

Family member is defined as any person related to the employee by blood, marriage, or adoption and any minor residing in the employee's residence as members of the employee's household because of court proceedings.

One day of sick leave is granted for the funeral of a family member as defined above, unless additional leave is approved.

The district may request that use of sick leave due to illness in excess of 2 days be verified by a physician.

### 3. CLASSIFIED SICK LEAVE BANK

- **PURPOSE:** The purpose of the sick leave bank is to provide temporary relief (beyond accumulated individual sick leave) from loss of pay due to severe illness, major surgery, or other circumstances, as approved by the Classified Employees' Sick Leave Bank Committee.
- **MEMBERSHIP:** Membership in the USD 417 classified employees' sick leave bank is restricted to classified employees of the district. Annual membership in the sick leave bank is accomplished by donating one (1) day of individual sick leave to the bank. Classified employees may not donate more than one day of sick leave per year.
- **MAXIMUM ACCUMULATION:** Maximum accumulation in the district sick leave bank shall be 120 days. Once the maximum number of days are accumulated, near maximum levels shall be maintained by allowing donations in the following order:
  - a. New employees will be allowed to donate to the bank for membership.
  - b. (Even if maximum accumulation has been realized).
    - a. Donations by members with maximum individual accumulation of sick leave.
    - b. Donations by the general membership in ascending order of years of employment.
- **SICK LEAVE BANK COMMITTEE:**
  - a. Membership - Two representatives from each classified employment group will serve as the sick leave bank committee. Classified employment groups are as follows:
    - Building Secretaries and District Office
    - Custodians and Maintenance
    - Teacher Aides
    - Food Service
    - Bus Drivers
  - c. Decisions of the committee are final and may not be appealed. Six affirming votes are required to approve a request for sick leave bank days.
- **REQUESTS:** Requests for sick bank days shall be forwarded to the Superintendent within ten (10) days following the depletion of the member's individual leave accumulation, which includes sick leave and vacation leave if applicable. Requests may be filed on behalf of an incapacitated member by any member of the classified sick leave bank committee. The requesting member may appear before the committee, or provide medical records, to support the request for days from the bank.

- LIMITATIONS: Sick leave bank days may only be awarded to bank members, and they will only be awarded for a bank member's personal illness, injury, or surgery, or for the illness, injury, or surgery of their spouse or children. Child care and short term illnesses such as common colds and influenza will not be considered for the awarding of sick leave bank days. The committee may require a physician's confirmation of illness or injury. No individual may be granted more than 20 days from the sick leave bank in any one school year.
- SALARY PROTECTION: Salary protection for the twenty (20) sick leave bank days awarded to an individual will be at the rate of one-hundred percent (100%) of the employee's daily rate of pay.
- REPAYMENT OF SICK LEAVE BANK DAYS: Upon return to service, the employee will repay the sick leave bank for the borrowed days at the repayment rate of two (2) days per year beginning the following year or years as necessary. Two days will automatically be taken each year, plus all unused sick leave at the end of the year. If the nature of the illness or injury is such that the employee is unable to return to work, no repayment will be required. The committee may, however, authorize withholding final payment to any employee in the amount due the District.

#### 4. PERSONAL LEAVE:

Three (3) days of sick leave may be converted to use as personal leave each work agreement year.

- Personal leave must be approved one week in advance.
- Employees will not be granted personal leave on the first or last day of the school calendar.
- The availability of substitute employees will be considered before personal leave is approved.
- For emergency situations the above limitations may be waived by an employee's supervisor.
- When school is delayed or canceled because of inclement weather, that time will be without pay unless the employee chooses to submit a day of personal leave using sick leave. However, there may be instances or school years in which the district chooses to offer paid inclement weather days; in that event, classified employees will be notified that they need not submit personal leave in order to be paid for an inclement weather day.
- Personal leave is not cumulative.

#### 5. LEAVE WITHOUT PAY

- Requests for leave without pay need to be approved by the building administrator or supervisor.
- The request must be submitted to the building administrator or supervisor via email not less than five days prior to the first day of requested leave.
- Leave without pay can only be requested when all other forms of leave have been exhausted, or the situation warrants the request.
- If approved, there is no compensation for leave without pay. If the request is not made in advance at least five days beforehand, a letter of reprimand regarding the absence will be placed in the employee's personnel file at the district office.
- There are no guarantees that any requests will be approved, and the building principal or supervisor reserves the right to deny the request.
- The five day advance request requirement may be waived by the building principal or supervisor in cases of verifiable emergency or other just cause (no compensation and a reprimand letter may still pertain to these situations).

## 6. JURY DUTY:

Classified personnel who are required to serve on jury duty or a similar type of legal duty can receive full salary during the period of such service.

- Classified personnel are to file a leave form for such absences.
- Submit the check for jury pay to the District Office and salary will not be reduced because of such leave.
- The employee retains the right to reimbursement for mileage.

## 7. PAID HOLIDAYS:

Employees must work a minimum of four (4) hours per day (20 hours in a week) to qualify for paid holiday leave. The following are paid holidays for each employee group:

### Twelve (12) month employees:

Labor Day, Thanksgiving, Christmas, New Year's Day, Martin Luther King Jr., Memorial Day, 4th of July

### Secretaries:

Labor Day, Thanksgiving, Christmas, New Year's Day, Martin Luther King Jr., Memorial Day.

### Aides, Cooks, Bus Drivers

Labor Day, Thanksgiving, Christmas, New Year's Day, Martin Luther King Jr.

## 8. HEALTH INSURANCE

A single health insurance benefit is provided to employees, with proportion of the premium being paid by the district being relative to an employee's length of work agreement. Proportions are as follows:

### Custodians, Maintenance, Mechanic, Transportation Director, Food Service Director, Technology Director & Assistant Director, BOE Clerk, District Business Manager, District & Building Secretaries:

One single health insurance premium

### Food Service (work agreement of student contact days)

Three-fourths (.75) of a single health insurance premium

### Teacher Aides (work agreement of student contact days)

Three-fourths (.75) of a single health insurance premium

### Bus Drivers (work agreement of student contact days - routes, activity trips, shuttle buses):

Three-fourths (.75) of a single health insurance premium

### End of Coverage

- If an employee does not remain employed by USD 417 throughout the term of their work agreement, coverage will cease on the last day of the last month in which they are employed. COBRA insurance will be available for the employee to purchase on their own, and all applicable laws and regulations following COBRA insurance will be maintained by USD 417.

## Qualifying Events

- As applicable to current laws and regulations, qualifying events can potentially allow certain changes to an employee’s benefit elections outside of the regular open enrollment period. Please speak with the business manager in the district office for further information if you think you may have a qualifying event, and need to change your benefit elections.

9. WORK AGREEMENT DATES:

Twelve (12) month employees:

July 1<sup>st</sup> - June 30<sup>th</sup>

Secretaries:

August 1<sup>st</sup> - one week after school year ends

Aides, Cooks, Bus Drivers:

First school day on the student calendar - last school day on the student calendar

10. VACATION LEAVE:

Each full-time classified employee on a 12-month work agreement is allowed the following number of vacation days with pay:

<u>Years of Employment:</u>	<u>No. of Days</u>
1st	5 Days
2-10	10 Days
11-15	15 Days
16 and More	20 Days

The superintendent or his/her designee shall approve dates when vacation is to be taken. No more than five (5) days of vacation shall be carried over into the next calendar year (as of July 1<sup>st</sup>). In the event special work demands or circumstances prevent an employee from using all vacation leave above the five (5) carryover days, the employee may request a meeting with the superintendent to address these excess days. If the superintendent agrees that special work demands or circumstances have prevented the employee from using his/her excess vacation days, the superintendent may grant an extension of time to use the excess days or may compensate for the excess days on a per diem rate of pay. Vacation leave is awarded on a monthly accrual basis, and the number of days are awarded based on actual hiring anniversary dates. Requests for vacation days are submitted for approval via the online attendance system. Vacation leave balances are also available via the online attendance system.

11. Classified Retirement Benefit Program

The purpose of this program is to assist Classified employees by providing an incentive for them to save for their respective retirement. This plan shall comply with all retirement program requirements as set forth by the federal government and the State of Kansas.

Definition –

- “Salary” shall mean pay received by a Classified employee based on the Classified employee’s salary and wages on their W-2 document.
- “Vested” – The point in time in employment in which the dollars contributed by the district to an employee’s retirement fund are fully and unconditionally guaranteed to the Classified employee. In the years that an employee is not fully vested and the employee contributes to the retirement program as spelled out below, USD 417 shall also make such contributions.

USD 417 shall make a Matching Contribution equal to .5% for every 1% of Employee Compensation deferred as an Elective Deferral by the Participant up to a maximum of 1% of Compensation total in Matching Contributions for any Plan Year in the event that a Participant elects to make an Elective Deferral of at least 2% of Compensation.

USD 417 shall make contributions to retirement plans no later than June 30 of each fiscal year.

A vesting schedule for employees to be able to receive the district's portion of retirement contributions shall be as follows:

- Years 1-3                      0%
- Year 4                      20% of district's contribution
- Year 5                      40% of district's contribution
- Year 6                      60% of district's contribution
- Year 7                      80% of district's contribution
- Year 8                      100% of district's contribution

Upon the completion of a Classified employee's 8<sup>th</sup> year of employment with USD 417, s/he shall be fully vested for all district contributions. Current years of service to USD 417 shall count towards an employee's vesting eligibility.

Employees shall work within the district's 403(b) program offerings to select the retirement fund(s) for their respective investments. An employee who is working after retirement shall not be eligible for this retirement plan.

#### 12. FMLA – Family Medical Leave Act

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with unpaid, job-protected leave for specified family and medical reasons. The qualifying situation will dictate the maximum number of work weeks an eligible employee may take within a 12-month period. USD 417 defines a 12-month period as July 1<sup>st</sup> through June 30<sup>th</sup>. Current FMLA laws and regulations will always apply. Those can be viewed by vising: <https://www.dol.gov/agencies/whd/fmla>

#### 13. EVALUATIONS:

Evaluations assess classified employees on personal qualities, commitment to duty, and skills related to their job description. Classified employees will be evaluated by their immediate supervisor. All classified employees shall be evaluated twice during their first year of employment and at least once a year in subsequent years. An employee may request or a supervisor may conduct more frequent evaluations. A copy of the completed evaluation will be given to the employee after it is signed by both employee and supervisor. Completed evaluations will be placed in the employee's personnel file.

#### 14. PAY SCHEDULE:

As approved by the Board of Education

15. EMERGENCY SUBSTITUTE LICENSE: The Board of Education will pay the fees associated with obtaining an emergency substitute license for employees, as recommended by the building principal.

16. SECURITY (Keys, FOB cards, Security Codes):

- The building principal is responsible for issuing keys, FOBs, and PINs and maintaining a current and accurate list of all people who have been issued any of the above listed in order to gain entrance to any district buildings. No keys or fobs shall be duplicated.
- Keys, FOBs, and PINS shall not be loaned to anyone. Any lost keys and/or FOBs, or compromised door code PINs shall be reported immediately to the principal so measures may be taken to maintain safety and security and to protect district property. The district may bill the employee for the replacement cost of lost keys or FOB cards, and/or cost of re-keying doors/locks if deemed necessary.
- Keys and FOBs must be turned in to the appropriate supervisor when an employee is no longer employed by the district or is assigned to another building.

17. ALCOHOL, DRUG, & TOBACCO NICOTINE PRODUCTS:

The unlawful possession, use, or distribution of illicit drugs or alcohol by school employees on school premises or as a part of any school activity is prohibited.

As a condition of employment in the district, employees shall abide by the terms of the board policy on drug free schools/workplace.

Employees shall not unlawfully manufacture, distribute, dispense, sell, possess or use controlled substances in the workplace. Any employee who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the superintendent of the conviction within five days after the conviction.

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

This is intended to implement the requirements of the federal regulations promulgated under the Drug Free Workplace Act of 1988, 34 CFR Part 85, Sub F. It is not intended to supplant or otherwise diminish personnel disciplinary actions which may be taken under existing board policies or the negotiated agreement.

The use of tobacco products in any form and/or of any nicotine delivery device is prohibited for staff members in any school building owned or operated by the district; within 10 feet of entrances, open windows, and air intake vents of such buildings; in other district facilities; and in school vehicles. {Any use of tobacco products or nicotine delivery devices on district property shall be only in areas designated for such purpose.} For the purposes of this policy, "nicotine delivery device" means any device that can be used to deliver nicotine to the person inhaling from the device. Such definition shall include, but may not be limited to, any electronic cigarette, cigar, cigarillo, pipe, or personal vaporizer.

18. ASBESTOS

An asbestos management plan has been developed for the district. A copy of the management plan is available from the district maintenance supervisor.

19. BLOOD BORNE PATHOGENS:



The exposure control plan for blood borne pathogens is available for review from the school nurse. Annual training is required each year.

20. CELL PHONES:

Staff members shall not use a cellular phone while on duty, unless the staff member has been assigned a device by the administration for job-related use, or the staff member is serving as an active member of a volunteer firefighting organization or a volunteer emergency medical service organization. Limited use to deal with family emergencies is permitted.

21. CHILD ABUSE:

Any employee who has reason to know or suspect that a child has been injured as a result of physical, mental, emotional, or sexual abuse or neglect shall promptly report the matter to the local Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open.

It is recommended the building administrator also be notified before the report is made.

District employees shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of school employees to prove the child has been abused or neglected.

**REPORTING OF ARRESTS, CHARGES, and INDICTMENTS:**

**Employees shall notify the superintendent if they are arrested for, charged with, or convicted of a criminal offense (including entering a plea of guilty or nolo contendere) other than a minor traffic violation (i.e., speeding parking, or a lesser violation). Notice must be in writing, must include all pertinent facts, and must be delivered to the superintendent no later than the next scheduled business day following the arrest, charge, or conviction, unless the employee is hospitalized or incarcerated, in which case the employee must report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the employee must report the disposition and pertinent facts in writing to the superintendent no later than the next business day following adjudication.**

22. COMMUNICABLE DISEASES:

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

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

The employee shall be allowed to return to duty upon the recovery from the illness, when authorized by the employee's physician.

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

23. EMPLOYEE SAFETY:

USD 417 is very concerned with your safety, both on and off the job. Employees and their families should be spared the distress, incapacitation and financial burden that often result from accidents. It is the policy of this

school district to obtain the greatest practical degree of freedom from accidents and to assure that every employee is provided safe and healthy working conditions, free from recognized hazards.

To accomplish this very important goal, authority and accountability for accident prevention is being assigned to all supervisory personnel within their areas of operations.

The BOE Clerk serves as the Safety Coordinator. It is the responsibility of the Safety Coordinator to administer a total accident prevention effort covering all employees.

This safety program requires the participation of every employee. All employees shall engage in safe lifting, climbing, and carrying practices. Employees shall ask for assistance when needed. Employees should observe safe work practices at all times and in all places, and they should report unsafe acts and conditions to their supervisors. HAZARDOUS WASTE:

When hazardous waste material is produced in a class, or is otherwise located in the district, its disposal shall be in accordance with state and federal laws, rules, and regulations.

No employee shall bring hazardous material to school without the prior approval of the principal. Such material shall be in an appropriate container and properly labeled.

If an employee discovers waste material which is, or may be, hazardous, he/she should notify his/her supervisor immediately.

Hazardous wastes include, but are not limited to, wastes which are flammable, corrosive, infectious, highly reactive, or toxic.

Hazardous waste must be placed in an appropriate container affixed with a hazardous waste label which lists the specific contents.

Unlabeled containers with undetermined contents which may contain hazardous materials shall not be put in trash containers.

All hazardous wastes must be properly labeled and stored appropriately until they can be disposed of properly. Placing them in trash containers or the sewer system is not an acceptable disposal method.

#### 24. PERSONAL PROPERTY:

The district is not responsible for employees' personal property and does not provide insurance on employees' personal property. If an employee's personal property is broken, damaged or stolen while the employee is on the job, repair or replacement is the employee's responsibility.

#### 25. RELATIONS WITH STUDENTS:

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

#### 26. SEXUAL HARASSMENT:

Sexual harassment will not be tolerated in the school district. Sexual Harassment of employees or students of the district by board members, administrators, certified and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

No district employee shall sexually harass, be sexually harassed, or fail to investigate or refer a complaint of sexual harassment for investigation. Complaints of sexual harassment by employees will be promptly investigated and resolved. Initiation of a complaint of sexual harassment will not adversely affect the job security or status of an employee, nor will it affect his or her compensation or work assignment. Violation of district policy shall result in disciplinary action, up to and including termination. Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, or if the employee is uncomfortable discussing the issue with his/her supervisor, the employee should discuss the problem with the superintendent.

Employees who do not believe the matter is appropriately resolved may file a written complaint under the district's discrimination complaint procedure. Confidentiality shall be maintained throughout the complaint procedure.

#### 27. STUDENT PRIVACY RIGHTS:

District employees may have ongoing opportunities to access confidential information or records that are only available to the public on a limited review basis. Much of the information processed by district employees is confidential, and law governs its release; for example, driver record and vehicle registration information, confidential student records, criminal history background check information, information obtained pursuant to Social and Rehabilitation Services (SRS) intervention, social security number information, and professional misconduct back-ground checks.

Employees are prohibited from divulging information contained in the records and files of the district, except to other authorized employees who may need such information in connection with their duties and to authorized persons or agencies only in accordance with law, district policies, and administrative rules.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information unless authorized by his/her supervisor or otherwise required to release the information under law or court order. In all cases, the employee's immediate supervisor shall be informed, immediately, of any requests.

Any employee who inappropriately releases information, or uses confidential information obtained in the course of his/her employment with the district for personal reasons or private gain, will be disciplined in accordance with Board policies, collective bargaining agreements, and district procedures. Disciplinary action may include severe penalties, up to and including discharge.

#### 28. TECHNOLOGY (please see district website for complete technology guidelines and procedures):

## Acceptable Use Procedures-

It is the goal of USD 417 to ensure that each user's interaction with technology contributes positively to the learning environment in school, at home, and in the community. Negative use of technology through USD 417 owned equipment or networks inside or outside of our school that degrades that environment for other users is unacceptable. USD 417 also recognizes that users have widespread access to both technology and the internet; therefore, use of personal devices and connectivity is considered to be included in this Acceptable Use Policy (AUP).

Access to USD 417's network is a privilege, not a right. The use of technology whether owned by USD 417 or devices supplied by the users entail personal responsibility. It is expected that users will comply with USD 417 rules, act in a responsible manner, and will honor the terms and conditions set by policy, administration, and the classroom teacher. Failure to comply with such terms and conditions may result in temporary or permanent loss of access as well as other disciplinary or legal action as necessary. In particular, students will be held accountable for their actions and are encouraged to report any accidental use immediately to their teacher or school administrator.

There is no assumption of privacy while using USD 417's technology or networks. USD 417 reserves the right to monitor users' online activities and access, review, copy and store, or delete any electronic communication or files and disclose them to others as it deems necessary. Users should have no expectation of privacy regarding their use of USD 417 property, network and/or internet access or files, including email. With the increased usage of software as a service, much of our data is not stored in local servers. This means the servers that store the data are not on district property.

Listed below are some examples of inappropriate activity on the USD 417 network. USD 417 reserves the right to take immediate action regarding activities that 1) create a security and/or safety issue for the USD 417 network, users, schools or technology resources; 2) expend USD 417 resources on content it determines lacks legitimate education content or purpose; or 3) other activities as determined by USD 417 as inappropriate.

1. Violating any state or federal law or municipal ordinance, such as: Accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials.
2. Criminal activities that can be punished under law.
3. Selling or purchasing illegal items or substances.
4. Obtaining and/or using anonymous email sites, spamming, spreading malware/viruses.
5. Causing harm to others or damage to their property.
6. Using profane, abusive, or impolite language; threatening, harassing, or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials.
7. Deleting, copying, modifying, or forging other user's names, emails, files or data, discussing one's identity, impersonating other users, sending communications using another user's account, or sending anonymous email.
8. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer malware/viruses or other harmful files or programs, or disrupting any computer system performance.
9. Using any USD 417 computer, device, or equipment to pursue "hacking," internal or external to USD 417, or attempting to access information protected by privacy laws.

10. Accessing, transmitting or downloading large files either for personal use or for the intention of slowing down the network.
11. Using websites, email, networks, equipment, or other technology for political use, personal gain, or a business outside the scope of USD 417 activities; ex: personal business.
12. USD 417 internet and intranet property must not be used for personal benefit.
13. Users must not intentionally access, create, store or transmit material that may be deemed to be offensive, indecent, obscene, intimidating, or hostile' or that harasses, insults or attacks others.
14. Advertising, promoting non-USD 417 sites or commercial efforts and events.
15. Users must adhere to all copyright laws.
16. Users are not permitted to use the network for non-academic related bandwidth intensive activities such as network games or transmission of large audio/video files or serving as a host for such activities.
17. Software purchased and used on USD 417 equipment is the property of the district and should not be used for personal gain, installed on personal devices, or copied for other use.
18. Users should not load personally owned software on USD 417 equipment. Doing so assumes the software was a donation to the district and is now the property of USD 417. Any license key, code or information should be surrendered to the USD 417 technology department.

Disclaimer-

Users may encounter material that is controversial, inappropriate, or offensive. However, on the internet, it is impossible to control effectively the content of data and an industrious user may discover controversial materials. It is the user's responsibility to stop access to such material immediately.

29. VANDALISM:

Employees shall immediately report any vandalism to their immediate supervisor.

30. WEAPONS:

Employees are prohibited from carrying weapons on school property or at school-sponsored events, unless approved in advance and in writing by the board of education.

31. WORKERS' COMPENSATION:

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

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

An injured employee must notify the designated employer's workers' compensation coordinator (the BOE Clerk at the District Office) within 20 days of the injury or within 30 days of repetitive trauma in order to be eligible for benefits.

The workers' compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify; however, the amount of workers' compensation benefits and sick leave benefits shall not exceed a regular daily rate of pay. An employee using sick leave or other available leave in combination with workers' compensation will be charged for one full or partial day of paid leave, as

provided for in the applicable leave policy or the negotiated agreement, for each day of absence until the employee's paid leave is exhausted.

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

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

In no event shall the employee be entitled to a combination of workers' compensation benefits, district paid disability insurance, and salary in excess of his/her full salary. Available paid sick leave may be used for this purpose until 1) available paid sick leave benefits are exhausted; 2) the employee returns to work; or 3) employment is terminated. Sick leave shall be calculated on a pro rata amount equal to the percentage of salary paid by the district.

#### Testing-

The board, through its designated workers' compensation coordinator, may require a post-injury chemical test as authorized by K.S.A. 44-501 et seq., and, if such test is refused, all workers' compensation benefits shall be forfeited by the employee.

#### Choice of Physician-

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury while performing their job. However, if the injured employee refuses to use the designated provider, benefits will be limited to \$500.00.

#### EMPLOYEE'S RESPONSIBILITY

1. Notify your supervisor AND the workers' compensation coordinator (BOE Clerk) immediately after an injury. Your supervisor will provide you with "Information for Injured Employees," as well as the "Report of Injured Employee" – please fill this out as soon as reasonably possible. Your supervisor will investigate the accident and provide the workers' compensation coordinator with as much information as possible.
2. Seek medical attention at a district-approved facility (Family Health Center) if necessary.
3. Deliver the doctor's form with release to return to work or work restrictions to your supervisor immediately after doctor's visit.
4. Provide all medical bills, receipts from prescriptions, mileage statements, etc. to the district office.

#### SUPERVISOR'S RESPONSIBILITY

1. Provide the injured employee with the "Information for Injured Employees" form, as well as the "Report of Injured Employee" to be filled out.

2. If there were any eyewitnesses to the accident, they should fill out the "Report of Eyewitness Form."
3. Conduct and submit the "Supervisor's Accident Investigation Report." If the investigation required more than eight hours completing, you must notify the office prior to the end of the work shift.
4. Provide all of the above forms to the workers' compensation coordinator (BOE Clerk) at the district office in a timely manner.

#### Injuries Occurring when an Employee is "Under the Influence" -

The Workers' Compensation Law clearly states that compensation is not payable if the injury was caused primarily by the intoxication of the employee or by the influence of any drugs, barbiturates, or other stimulants not prescribed by a physician. Under the law, the employer may require the employee to submit to a test for the presence of any or all drugs or alcohol in his or her system. If the injured worker refuses to submit to a drug test, it shall be presumed in the absence of clear and convincing evidence to the contrary that the injury was caused primarily by the influence of drugs or alcohol.

#### Recreational and Social Activities -

Recreational and social activities are not compensable unless such recreational or social activities are an expressly required incident of employment and produce a substantial direct benefit to the employer beyond improvement in employee health and morale that is common to all kinds of recreation and social life.

#### Injuries Suffered While Traveling to and from Work -

An injury suffered while going to or coming from work is not an injury arising out of and in the course of employment whether or not the employer provided transportation if such means of transportation was available for the exclusive personal use by the employee, unless the employee was engaged in a special errand or mission for the employer, or access to the vehicle was an integral element of the employment. An employee who is injured while deviating from the course of his employment, including leaving the employer's premises, is generally not eligible for benefits unless such deviation is expressly approved by the employer.

#### Horseplay -

An employee who is injured during horseplay occurring in the course of the workday is not entitled to benefits unless the injured employee is an innocent victim not participating in the activity.

#### 32. Personal or District-owned COMMUNICATION DEVICES while Driving a District Vehicle

Employees shall agree not to use personal or district-owned communication devices while driving a district vehicle. Employees may use them if the use is required to deal with an emergency. The district vehicle shall not be moving when emergency use of a communications device is required. Failure to follow these rules shall be grounds for employee discipline, up to and including termination.

#### 33. BULLYING

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

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

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

#### Definitions -

(1) "Bullying" means: (A) Any intentional gesture or any intentional written, verbal, electronic or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:

(i) Harming a student or staff member, whether physically or mentally;

(ii) damaging a student's or staff member's property;

(iii) placing a student or staff member in reasonable fear of harm to the student or staff member; or

(iv) placing a student or staff member in reasonable fear of damage to the student's or staff member's property;

(B) cyberbullying; or

(C) any other form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and amendments thereto.

(2) "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

(3) "School vehicle" means any school bus, school van, other school vehicle and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.

(b) The board of education of each school district shall adopt a policy to prohibit bullying on or while utilizing school property, in a school vehicle or at a school-sponsored activity or event.

(c) The board of education of each school district shall adopt and implement a plan to address bullying on school property, in a school vehicle or at a school-sponsored activity or event. Such plan shall include provisions for the training and education for staff members and students.

(d) The board of education of each school district may adopt additional policies relating to bullying pursuant to subsection (e) of K.S.A. 72-8205, and amendments thereto.

**This handbook is not an employee contract. Further, this handbook is not to be considered as either an express or implied contract between the school district and the employee.**

**Anytime the superintendent is mentioned in this manual, his/her designee is implied.**

**As a condition of employment, employees agree to follow rules and regulations which have been adopted by the board.**

**This handbook may be changed or modified and items added or deleted at any time as recommended to and approved by the board.**